

DEPUTY PLANNING OFFICER

APPLICATION NO.	WEB2117/26
PROPOSAL	The proposed development will consist of (i) the construction of a two-storey, two-bedroom 115m2 detached dwelling accessed via Laundry Lane, and (ii) all associated works above and below ground.
LOCATION	Site to rear of 1 Clareville Road, Dublin 6W, Co. Dublin, D6W YN83
APPLICANT	Enda Connellan
DATE LODGED	07-May-2026
ZONING	
APPLICATION TYPE	Permission

26/06/2026

1.0 Site Notice Inspection: In position on the 29th of May & 2nd of June 2026 (Checked by AS).

2.0 Description of Site and Surroundings

Number 1 Clareville Road is a two-storey end of terrace red brick house, attached to number 3 Clareville Road. The houses from number 1-13 Clareville Road have a lane which runs to the rear of the properties called Laundry Lane, which is accessed off the Harolds Cross Road. The 133.6m2 site area makes up part of the 411.4m2 existing plot area of No. 1 Clareville Road.

3.0 Proposed Development

The proposed development comprises of the construction of a two-storey, two-bedroom 115m2 detached dwelling accessed via Laundry Lane, and all associated works above and below ground.

4.0 Zoning

The subject site is located on lands zoned Z2 (Conservation Areas) with land use zoning objective 'to protect and/or improve the amenities of residential conservation areas.

Residential is a permissible use within this zoning.

5.0 Pre-Planning Consultation

None indicated on planning application form.

6.0 Recent Planning History

1282/01: Planning permission granted at number 1 Clareville Road for retention of domestic alterations consisting of third storey extension at rear, associated additional windows, and garage at rear.

7.0 Relevant Enforcement History

E0639/03: Breach of Condition 6 or 1282/01 in relation to elevation plans.

EO411/00: Large extension under construction to rear.

8.0 Consultations

Internal Consultees:

- Drainage Division: No objections subject to conditions.
- Transport Planning: Refusal Recommended

No further Reports.

Prescribed Bodies

Uisce Éireann: Where a connection(s) is required the applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.

9.0 Submissions/Observations /Representations

Last date for observations was the 10th of June 2026.

A number of observations were submitted. The main issues are as follows:

- Overlooking issues by two large windows to the bedroom
- Appears to be a balcony to the bedrooms
- Precedent of allowing a two-storey structure to rear of period house
- Proposal would impact on their residential amenity
- Laundry Lane is only 2.7 metres wide and is not suitable for rear access
- Laneway does not meet Development Plan standards
- Inadequate access via laneway
- Height, scale and massing
- Separation Distances between opposing windows
- Rear façade is c.12m from the rear windows of houses on Clareville Road
- Inadequate access for refuse/emergency vehicles
- No car parking
- Applicant appears to show the access lane as being within the ownership of them.
- Ownership of the lane needs clarification
- OS map appears to show an existing structure on site but not shown on google maps
- Construction access issues
- Proposal would be incongruous and out of character with area
- Proposal would not comply with Development Plan standards.
- Proposal would affect the amenity enjoyed by residents in area.
- Proposal would be overbearing
- Concerns in relation to flat roof over kitchen being used as a roof terrace
- Inaccurate and misleading drawings do not reflect their property
- Excessive scale and height of proposal
- Loss of light, outlook and sense of space
- Laneway would require additional lighting for safe access
- Increased activity and noise in their rear garden
- Proposal constitutes overdevelopment of the rear garden
- Drainage issues and level difference
- Overlooking and loss of privacy
- Cumulative erosion of biodiversity and loss of urban green spaces.
- Proposal provides substandard garden depth

The submissions lodged relating to the application have been considered in the overall assessment of the proposed development.

10.0 Relevant Policies, Objectives and Standards Dublin City Development Plan 2022 – 2028

Chapter 2: Core Strategy

Brownfield and Infill Lands: National and regional policy places an emphasis on compact growth and supports the sustainable development of brownfield and infill lands, through consolidation to support the optimal use of the finite resource of land.

Arising from the active land management strategy, Dublin City Council will prepare, update and monitor brownfield and infill development of a strategic nature throughout the city to actively encourage and support the development of such lands.

Chapter 4: Shape and Structure of the City

The aim for the future development of Dublin City is to achieve a high quality, sustainable urban environment, which is attractive to residents, workers and visitors.

We will encourage compact growth throughout the city by promoting appropriate:

- Infill development (developing vacant or underused land), and
- Use of brownfield lands and sites.

Chapter 15: Development Standards

Section 15.5.2: Infill Development

Section 15.13.5: Mews

Policy BHA9: Conservation Areas

Policy BHA14: Mews

Appendix 5 Transport and Mobility: Technical Requirements

Section 3.0: Cycle Parking Standards

Section 4: 4.0 Car Parking Standards

11.0 Planning Assessment

The proposed development comprises a two-storey, 115m² dwelling with a flat roof, accessed via Laundry Lane through a covered entrance area with secure bicycle and refuse storage. The ground floor of the dwelling includes an entrance hallway with cloaks storage, guest WC, utility room with further storage, and an open plan kitchen, living, and dining area leading out to a rear garden measuring c.40m² in area. First floor level provides accommodation for 2 no. bedrooms (4 bed spaces), a bathroom, and walk-in-wardrobe and ensuite leading off the master bedroom. The proposed development includes for 40m² of private open space by way of a garden space to the rear of the proposed dwelling. The drawings indicate that 84m² of private open space has been retained for the existing dwelling, No.1 Clareville Road.

Principle of Proposed Development

The subject site is located within Z2 zoning in the Dublin City Development Plan (2022-2028) with the zoning objective 'to protect and/or improve the amenities of residential conservation areas'.

Section 14.7.2 of the development plan notes that Z2-zoned areas have extensive groupings of buildings and associated open spaces, with an attractive quality of architectural design and scale, such that they require special care in dealing with proposals which affect both protected and non-protected structures in such areas. The general objective is to protect the area from unsuitable new developments or works that would have a negative impact on its amenity or architectural quality. The principal land use encouraged is housing but a limited range of other uses can be considered, with the guiding principle being to enhance the architectural quality of the streetscape and the area and to protect the residential character of the area. Z2-zoned areas do not have a statutory basis, but are recognised as areas that have conservation merit and importance and warrant protection through zoning and policy application.

Residential development is permissible in principle within the Z2 zoning. The proposed provision of a new two-storey mews house on the site can therefore be considered in principle, subject to compliance with residential standards and to the standards for mews development set out in the development plan, and to the proposal having no undue adverse impact on the residential amenities of adjoining occupiers or on the visual amenities of the surrounding residential conservation area.

Compliance with Standards

Residential Standards

The site has a stated area of 133.6m², with the proposed new dwelling have a floor area of 115m².

The standards for houses are set out in Section 15.11 of the development plan, which refers to Section 5.3 of the DEHLG's 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes, Sustaining Communities' (2007). Section 15.11 states that the orientation and layout of house units should maximise the use of natural daylight and sunlight as much as possible. Where feasible, the main habitable rooms (living/kitchen) should have south and/or west facades. Rear private gardens should be sufficiently sized and orientated to ensure direct sunlight access is achieved for part of the day on March 21st. All habitable rooms must be naturally ventilated and lit.

Private open space for houses is usually provided by way of private gardens to the rear. The minimum requirements for private open space for houses are now set out in Section 5.3.2 of the DHLGH's Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024).

SPPR2 sets out the minimum private open space standards for houses. For a two-bedroom house, the minimum standard is 30m². The applicant has indicated 40m² to the rear garden, which would comply with the relevant requirements.

The proposal would result in the subdivision of the existing rear garden of No. 1 Clareville Road. The applicant has retained c. 84m² of private amenity space for the rear garden of the existing house. It is not clear how many bedrooms the existing house has, but it is estimated that the house has 4+ bedrooms. SPPR2 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) sets out a minimum standard of 50m² for a four-bedroom plus house. The applicant has retained sufficient private open space for the existing house.

The 2007 Guidelines 'Quality Housing for Sustainable Communities' and the Design Manual for Quality Housing set out target gross floor areas for houses. For a two bedroom (4 person) two storey house, the minimum floor area would be 80m². The drawings show that the proposed new house would have a floor area of 115m² which exceeds the minimum standard of 80m².

Both bedrooms are double bedrooms measuring c. 12m² and 13.7m². The Design Manual for Quality Housing notes that the area of a single bedroom should be at least 7.1 m² and that of a double bedroom at least 11.4m². The area of the main bedroom should be at least 13m² in a dwelling designed to accommodate three or more persons. The bedrooms would comply with the above.

The proposed aggregate living area is c. 40m² which exceeds the standard set out in the Design Manual for Quality Housing of 30m². The aggregate bedroom area is 25m² which complies with the standards.

The proposal therefore complies with minimum standards for floor area and room sizes and private amenity space.

Impact on Residential and Visual Amenity (including conservation area)

The proposal provides for a separation distance of c.16.m between the rear elevation of the proposed new dwelling at first floor level and the rear return of the existing house

A number of the observations have been submitted regarding the separation distance, overbearing and overlooking issues from the proposed mews.

In terms of separation distance, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Policy SPPR1 sets out recommended separate 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.

The applicant has stepped back the first-floor level from the rear return of the main house and has achieved a 16-metre separation distance between opposing windows. This has been noted. However, due to the size and location of the rear first floor windows, it is considered that the proposal could result in overlooking to the adjoining rear garden of number 3 Clareville Road. The floor to ceiling height of the ground floor is indicated at 2.7 metres and at first floor it is 2.5 metres, resulting in an overall height of 6.5 metres to its highest point. Due to the bulk and height of the proposed mews dwelling in the rear garden of this property, and proximity to the rear gardens of a number of properties, it is considered that the proposed development would result in an incongruous form of development and would appear overbearing when viewed from the rear gardens of the adjoining properties.

Sunlight and Daylight

The application has not submitted a sunlight daylight assessment for the proposed development. Due to the orientation of the site, and the height of the two-storey mews, the Planning Authority has concerns that this may result in overshadowing of the adjoining properties, and in particular numbers 3 Clareville Road, and numbers 17 and 19 Kenilworth Park.

Impact on Conservation Area

As previously noted, the site is situated in a residential conservation area, with zoning objective Z2. Development plan policy BHA9 is '*to protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps*'. 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 may include replacement or improvement of any building, feature or element which detracts from the character of the area or its setting, improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns or contemporary architecture of exceptional design quality, which is in harmony with the conservation area.

After reviewing the submitted drawings, the Planning Authority would have concerns in relation to the precedent this two-storey mews would have in the rear garden of this property, having regard to the substandard width of the mews lane which serves the proposed new dwelling. The applicant has shown the access lane outlined in blue on the site location map. However a number of the observations on file are seeking clarification on this matter, and they say it is unclear who owns the lane. It is considered that the mews dwelling would seriously injure the residential and visual amenities of the area and would be contrary to the standards set out in Section 15.13.5 of the Dublin City Development Plan in relation to mews laneway.

Access/Parking/Cycle Parking

The Dublin City Development Plan 2022-2028, Section 15.13.5.4 outlines access requirements for mews dwellings, and requires adequate accessibility in terms of private vehicular movements, emergency vehicles and refuse vehicles must be provided. All mews lanes will be considered to be shared surfaces, and footpaths need not necessarily be provided. Furthermore, Appendix 5 Section 4.3.8 states a minimum carriageway width of 4.8m (5.5m where no verges or footpaths are provided) for mews laneways, but notes that in circumstances where these widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated. The width of the access laneway ranges from c. 3 metres to c.2.7 metres in width. The width is below the minimum carriageway width.

Transport planning in their report has concerns regarding the capacity of the access laneway to accommodate vehicular access, due to its narrowness, and uneven surface. The report notes that there is no precedent for residential units along the access laneway. The provision of a dedicated space for bicycle parking, is acceptable to Transport Planning. No car parking is proposed. Transport planning notes that by its very nature, a residential dwelling generates vehicular activity in the form of service, delivery and other needs. In relation to servicing, delivery, refuse and emergency access, the proposal would result in reversing vehicles along Laundry Lane and onto Harolds Cross Road resulting in conflicts with pedestrians, cyclists and other vehicles at the

Rathgar Avenue junction, and creating a traffic hazard. Due to the concerns set out above, Transport planning is recommending a refusal of planning permission.

Drainage and Services

The subject site is located within Flood Zone C (Map H, Appendix 7 SFRA). Drainage in their report have no objections to the proposal subject to conditions. Uisce Eireann have submitted a submission recommending in the event of a grant of permission, the applicant should enter into a connection agreement with UE to provide a condition to the public water supply and/or wastewater collection. This is noted.

12.0 Summary/Conclusion

The Planning Authority would have serious concerns in relation to the provision of a mews dwelling in the rear garden of this residential property, which is located in a Z2 residential conservation area. Due to the scale and height of this mews and its location in close proximity to the rear gardens of a number of properties, both at number 3 Clareville Road and numbers 17 and 19 Kenilworth Park, it is considered that the mews would result in overshadowing and overlooking of the adjoining properties, would set an undesirable precedent and would appear as an overbearing form of development when viewed from the rear gardens of the adjoining properties, which would seriously injure the residential amenities of properties in the vicinity, and would be contrary to the Policy BHA9 in relation to Conservation areas, which states 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.

The proposed development would also be contrary to the standards for Mews Developments as set out in Section 15.13.5.4 of the Dublin City Development Plan 2022-2028, and Appendix 5 Section 4.3.8, which states that a minimum carriageway width of 4.8m (5.5m where no verges or footpaths are provided) for mews laneways, but notes that in circumstances where these widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated. The width of the access laneway ranges from c. 3 metres to c.2.7 metres in width. The width is below the minimum carriageway width. Transportation Planning in their report have recommended a refusal of planning permission due to concerns in relation to servicing, delivery, refuse and emergency access, that the proposal would result in reversing vehicles along Laundry Lane and onto Harolds Cross Road resulting in conflicts with pedestrians, cyclists and other vehicles at the Rathgar Avenue junction, and traffic hazard.

There are a number of observations on file. The submissions lodged relating to the application have been considered in the overall assessment of the proposed development.

Having regard to the concerns set out above, it is recommended that planning permission be refused.

13.0 Screening for Appropriate Assessment

Having regard to the nature and scale of the proposed development, and the distance to the nearest European site, it is considered that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. A full Appropriate Assessment of this project is therefore not required.

14.0 Environmental Impact Assessment

Having regard to the nature and scale of the proposed development and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

15.0 Recommendation

Refuse Permission

It is recommended that planning permission be refused for the following reasons:

1. Having regard to the Z2 residential conservation zoning objective, which is 'to protect and/or improve the amenities of residential conservation areas', it is considered that, by reason of the orientation of the proposed mews, the inadequate width of the mews laneway, its proximity to the rear gardens of adjoining properties, in particular No. 3 Clareville Road and Nos. 17 and 19 Kenilworth Park, together with its scale, height and first floor window openings, the proposed development would result in overlooking and overshadowing and would appear overbearing. The proposed development would therefore seriously injure the residential amenities of adjoining properties and, if permitted, would set an undesirable precedent. The proposal would be contrary to Policy BHA9 of the Dublin City Development Plan 2022-2028, the standards for mews development set out in Section 15.13.5, the Z2 zoning objective, and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the provisions of the Dublin City Development Plan 2022-2028, in particular Section 15.13.5.4 and Section 4.3.8 of Appendix 5, it is considered that the existing laneway serving the site is substandard, by reason of its constrained width and lack of adequate turning and manoeuvring space. The proposed development would result in the reversing of vehicles, including service, delivery, emergency and refuse vehicles, along Laundry Lane and onto Harold's Cross Road, thereby giving rise to a traffic hazard and endangering public safety. The proposed development would, if permitted, set an undesirable precedent for similar substandard access arrangements in the area and would therefore be contrary to the proper planning and sustainable development of the area.