



An
Bord
Pleanála

Inspector's Report PL ABP-305559-19

Development

Demolition of a Rear Annex.
Reinstatement of dwelling as a single residential unit from 5no. apartments, construction of extension to the rear and side of the house, with associated Rooflights.

Location

No.32 Haddon Rd, Clontarf, Dublin 3

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

3507/19

Applicant(s)

Paul Keogh & Rosemary Commons

Type of Application

Permission.

Planning Authority Decision

Grant with Conditions

Type of Appeal

First Party -vs- Condition No.4

Appellant(s)

Paul Keogh & Rosemary Commons

Observer(s)

None

Date of Site Inspection

16 / 01 / 2020

Inspector

L. W. Howard

1.0 Site Location and Description

- 1.1. The indicated c.526m² application site, being No.32 Haddon Road, is located within the residential suburb of Clontarf, Dublin 3, northeast Dublin City.
Specifically, the application site fronts onto the eastern side of Haddon Road, a short residential street accessed via Clontarf Road to the south, and Victoria Road to the north.
- 1.2. The application site is one half of a pair of semi-detached residential properties, No's. 32 and 33 Haddon Road. These houses present as 2-storeys, set on plinth, facing onto Haddon Road to the front / west. To the rear / east, the houses present as 3-storeys.
- 1.3. No.32 – the application site, also bounds onto a lane to the rear / east, which serves dwellings on Haddon Road and Castle Avenue, and which is accessed via its junction with Clontarf Road to the south.
- 1.4. At present, vehicular access onto the site is restricted to the rear laneway. Whilst on-street car parking is possible on Haddon Road, accessibility from the front is restricted to a pedestrian entrance only.
- 1.5. The form and pattern of residential development locally along Haddon Road comprises of 2-storey 'terraced' and 'semi-detached' residential properties. Haddon Road itself provides a divide and separation between the 2-storey 'terraced' residential properties along the length of the western road frontage, and excepting for a 'terrace' of residential properties along the northern section of Haddon Road from its junction with Victoria Road, the 'semi-detached' residential properties fronting onto the eastern side of Haddon Road, with No.32 – the application site located approximately halfway along the eastern road frontage between Clontarf Road in the south and Victoria Road in the north.
- 1.6. Noticeably, small scale front gardens characterise the 'terraced' residential properties along the western Haddon road frontage. This is not the case along the eastern side road frontage, with the 'semi-detached' residential properties characterised by a distinctly larger section of property frontage onto Haddon Road, larger overall property size, with comparatively larger front gardens, most with generous 'side-space' separation between pairs of 'semi-detached' properties (see copy of Board's 'OS' base map of the locality showing the distinction between the 'terraced' and 'semi-detached' residential properties along Haddon Road, attached).

1.7. Noticeable, at the time of inspection, was that excepting for several of the 'semi-detached' residential properties along the eastern Haddon Road frontage, proximate to No.32 – the application site, no other residential properties along Haddon Road were served with direct vehicular access off Haddon Road.

2.0 Proposed Development

2.1. The development is proposed to comprise of :

- the demolition of a rear single storey Annex,
 - reinstating the dwelling as a 'single residential unit', from 5no. apartments,
 - the construction of a single storey extension to the rear and side of the existing house with associated rooflights,
 - the construction of a new front vehicular entrance with new electric gates, and
 - other minor works, boundary treatments and all associated site works,
- all at No.32 Haddon Road, Clontarf, Dublin 3.

2.2. Detailed clarification regarding the substance, composition and spatial arrangement of the proposed development on the application site, is provided by –

- the applicant as part of the planning application documentation and mapping / drawings (received by the Planning Authority date stamped – 16/07/2019), and subsequently in the 1st Party Appeal submission, received by the Board dated 07/10/2019, and
- the Planning Authority in the Planning Officers 'planning report' dated 09/09/2019.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Planning permission granted, subject to 12no. Conditions.

3.1.2. Condition No.4 is relevant in the context of the appeal. Condition No.4 requires revision as follows –

“The proposed vehicle entrance and off-street car parking space to the front of the structure shall be omitted from this permission.

Reason : *In the interest of visual and residential amenity, and in the interest of public safety”.*

3.2. Planning Authority Reports

In the report of the Deputy Planning Officer, the key planning issues are assessed as follows :

3.2.1. The ‘Principle’ of Development –

- The application site is zoned ‘Z2 - Residential Neighbourhoods (Conservation Areas)’.
- The Z2 zoning objective is – “... To protect and / or improve the amenities of residential conservation areas”.
- ‘Residential’ is a permissible use within the Z2 Zone, subject to compliance with relevant provisions of the Dublin City Development Plan 2016-2022.

3.2.2. Site Designation –

- Reference No.32 Haddon Road as on the List as a ‘Protected Structure’ (RPS3545).
- Following adoption of the ‘Haddon Road and Victoria Road’ Architectural Conservation Area – June 2017, No.32 Haddon Road and its neighbours were ‘de-listed’.

3.2.3. Re-Instatement –

- Proposed development seeks to ‘reinstate’ the dwelling as a ‘single residential unit’, from 5no. apartment units.
- The house was designed and constructed c.1900 as a single residential unit.
- Inclusive of the proposed extension, the proposed single family unit would provide c.392m² floor area.
- “This would be a very substantial single-family unit”.

3.2.4. Proposed Extension –

- Proposed development is for construction of a single storey side and rear extension, and internal modifications.
- The relevant City Development Plan 2016-2022 provisions include –
- Section 16.2.2.3 – ‘Alterations and Extensions’,
- Section 16.10.12 – ‘Extensions and Alterations to dwellings’, and
- Appendix 17 – ‘Guidelines for Residential Extensions’.

3.2.5. Overbearing / Overshadowing / Overlooking –

- Located adjacent to other residential properties, Section 16.10.12 provides that applications for extension to a dwelling “will be granted permission provided that the proposed development –
- Has no adverse impact on the scale and character of the dwelling,
- Has no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.

3.2.6. Side and Rear Extension –

- The ‘side’ and ‘rear’ elements of the proposed extension, are to project out
 - c.2.505m from the flank wall, and
 - c.9.5m from the rear building line respectively.
- As the proposed structures are to be single storey, they would largely be not visible from the public realm.
- In the eastern corner, the proposed extension includes a large zinc clad structure, projecting above the remaining area of the proposed rear extension, rising to c.4.65m.
- However, due its scale, consider that this element would be largely not visible from outside the property boundaries.

3.2.7. The issue of ‘encroachment’ can be addressed by way of Condition.

3.2.8. Transportation Planning Division –

- Reference the City ‘Transportation Planning Report’ (20/08/2019) as follows :

- Proposed new 3.6m wide vehicular entrance to serve an existing dwelling on Haddon Road, Clontarf
- Note existing mature tree to front of the dwelling. The new entrance will not impact the tree.
- However, note the ‘utility pole’ located to the north of the proposed entrance that may impact the proposed pillar.
- Should a grant of planning permission be decided, “a Condition should pertain to advise the applicant to liaise with the relevant utility provider to ascertain if the pole requires relocation.
- However, assert that the vehicle entrance / access would be beneath the spread of the existing tree located on the footpath
- Therefore, the new vehicle entrance, as proposed, “would involve compromising the protection of the existing street tree, and may compromise an existing utility pole”.

3.2.9. Haddon Road and Victoria Road ‘Architectural Conservation Area’ –

- City ‘transportation planning Division’ has no objection to the proposed new vehicular entrance on traffic safety grounds.
- However, the application site is located within the Haddon Road and Victoria Road Architectural Conservation Area (ACA).
- This **ACA** identifies the essential characteristics of the ACA locally. Section 6.2 – ‘Problems and Pressures’ states : “*The use of front gardens to provide car parking results in the loss of one of the area’s most positive characteristics – its leafy, spacious quality. The loss of front gardens boundary treatments and soft landscaping for car parking negatively impacts the character of the streetscape and buildings*”.
- Further, at Section 7.3.6 – ‘Boundary Walls & Railings’, the ACA report sets out the parameters for intervention and development including : “*The Dublin City Development Plan 2016-2022 sets out the Standards for Parking in the Curtilage of Protected Structures and in Conservation Areas under Subsection 16.10.18 as follows :*
“*Poorly designed off-street car parking in the front gardens of Protected Structures and in Conservation Areas can have adverse effect on the special*”

interest and character of these sensitive buildings and areas. For this reason, proposals for off-street parking in front gardens will not normally be acceptable where inappropriate site conditions exist, particularly in the case of smaller gardens where the scale of intervention is more significant – and can lead to the erosion of the character and amenity of the area.

The forms and pattern of development fronting onto Haddon Road and Victoria Road provides for terraced and semi-detached residential properties with small scale front (and side) gardens and larger longer rear gardens. Therefore, proposals for off-street car parking to the front and side of these smaller gardens would result in a scale of intervention which would be significant and thus lead to the erosion of the special character and amenity of the area, which would be contrary to the Objective to preserve the Special interest and character of the Architectural Conservation Area”.

- The conversion of the front garden into a car parking area would be contrary to the Haddon road and Victoria Road ‘Architectural Conservation Area’.
- The proposed development includes the insertion of a vehicle entrance opening of c.3.6m in width, beneath the spread of the existing street tree.
- By implication, this involves compromising the survival of the existing street tree by providing vehicular access beneath the spread of the tree.
- “The proposed insertion of a vehicular entrance through the front garden boundary, and the conversion of the front garden to a surface car parking space on this Edwardian House and the removal of historic fabric (boundary walls / footpaths) and front garden in order to achieve off-street car parking would be detrimental to preserving the essential residential character of the area”.

3.2.10. Vehicular Entrances –

- Reference that with respect to the planning permission granted for the development at adjacent No.33 under **Ref.No.2817/14**, a Condition attached to the permission granted effectively reduced the vehicle entrance width to 2.6m.

- Further, reference the decision to grant planning permission for a vehicular entrance on the neighbouring property No.31 Haddon Road, “as access to a mews development to the rear”, under **Ref.No.2535/16**
- Note the application site is already served by a rear laneway. Therefore a new vehicular access is not required to provide off-street car parking space.
- Having regard to Section 16.10.18 – “Parking Cars in the Curtilage of Protected Structures and in Conservation Areas”, assert against enabling off-street car parking in front gardens of Protected Structures within Conservation Areas, where satisfactory vehicular access to the rear garden exists, or can be easily provided, without compromise to personal safety, and where sufficient rear garden area is available to meet both car parking and ‘open space’ requirements.
- Further, the proposed insertion of a vehicular entrance opening at this location, would result in the loss of an on-street car parking space locally.

3.2.11. Conclusion –

- The amalgamation of five residential units into a single dwelling, is entirely consistent with the original character and operation of the structure, from its inception.
- Construction of a substantial side and rear extension would create / recreate a very substantial house.
- The proposed extensions, by reason of their single storey scale, and set backs from neighbouring boundaries, should not have an adverse impact on neighbouring properties in terms of overlooking, overshadowing or overbearing.
- Due to its scale, the proposed side and rear extensions would be visibly subordinate to the existing house, as required by Section 16.10.12 (Extensions & Alterations to dwellings), of the City Development Plan 2016-2022.
- The proposed vehicular entrance would threaten survival of the existing ‘street tree’, and possibly an existing ‘utility pole’.
- The insertion of a ‘vehicle entrance’ and ‘driveway with sliding gates’,

- would be contrary to the established character of the house, and ...
 - would involve removal of the historic fabric of boundary walls, and ...
 - the erosion of the amenity value of the front garden,
contrary to
 - Section 16.10.18 (Parking cars in the Curtilage of Protected Structures and in Conservation Areas) of the City Development Plan 2016-2022, and
 - The Haddon Road and Victoria Road 'Architectural Conservation Area'.
 - There would also be loss of an 'on-street car parking space', within an area dependent on such parking.
 - The application site is also served by an access laneway to the rear, which could enable access to off-street car parking space located to the rear.
 - "Therefore, the proposed vehicular entrance and car parking area to the front of the house shall. Be omitted from this permission".
 - The proposed extensions –
 - "should not result" in an adverse impact on the scale and character of the dwelling
 - "should have no unacceptable effect on the amenities enjoyed by neighbouring residents, by way of privacy loss and access to daylight and sunlight,
- Subject to the omission of the front garden vehicle entrance.

3.2.12. Recommendation –

Recommend a decision to 'grant' planning permission subject to Conditions.

3.3. **Other Technical Reports**

<u>City Drainage Division</u>	No objection, subject to Conditions (Report – 09/08/2019)
<u>City Transportation Planning Division</u>	No objection, subject to Conditions (Report – 20/08/2019)

3.4. **Prescribed Bodies**

Irish Water None.

Irish Rail None

3.5. Third Party Observations

3.5.1. One 3rd party Observation – adjacent neighbour (D. & K. Conlon, No.33 Haddon Road), referenced received by the Planning Authority.

3.5.2. No objection per say to the proposed development. However, having the regard to the application documentation, reference the following :

- The red line boundary is clearly indicated on all drawings relative to the location of proposed new development. No new development should encroach on the boundary line.
- However, there appears to be an error on Drawing No. (P)400 Proposed Section A-A. This Drawing indicates new development encroaching on the red line boundary into 33 Haddon Road. This is unacceptable ... and not in accordance with proper planning.
- All other Drawings show the correct location of proposed development relating to the boundary.
- Remedy –
That this Drawing is either resubmitted, or that the Conditions attached to any decision to Grant 'Planning Permission
 - acknowledge this error on Drawing No.(P)400,
 - that there should be no encroachment on the boundary, and
 - any works to party / boundary walls to be agreed between both parties, before commencement of works.

4.0 Planning History

Plan Ref.No.2535/16 'Grant' permission to Mrs H. McCullagh for the following
–
“ 'Protected Structure' : ... a proposed single storey dwelling to rear, with a vehicular entrance to the rear of No.31 Haddon Road, Clontarf, Dublin 3,

all at No.31 Haddon Road, Clontarf, Dublin 3, subject to 9no. Conditions.

Having regard to the current application, now the subject of the applicant / 1st party appeal, the relevant Conditions are referenced as follows :

“C3. *The proposed vehicular gateway shall not be more than 2.6m in width*

Reason : *In the interests of visual amenity”.*

Plan Ref.No.2817/14

‘Grant’ permission to D. Conlon for the following –

New vehicular entrance off Haddon Road

Internal alterations to the existing building

Installation of new roof lights to existing rear utility room

New bi-fold glazed doors to ground floor of rear return,

Repairs to existing garage, and

Demolition of existing shed,

all at No.33 Haddon Road, Clontarf, Dublin3.

Having regard to the current application, now the subject of the applicant / 1st party appeal, the relevant Conditions are referenced as follows :

“C3. *The new vehicular entrance shall be a width of 2.6m only. The reduction in width shall be inward of the proposed northern gate pillar. A maximum of two car parking spaces shall be provided on site with the remainder of the front garden being permanently retained in soft landscaping / planting. The new gate pillars and any proposed gates shall be similar to the existing front boundary treatments*

Reason: *In the interest of the visual amenity of the streetscape, and to comply with relevant Development Plan requirements for vehicle entrances*

and car parking within the curtilage of 'Protected Structures'.

C4. *The applicant shall ensure that the existing tree on the public footpath is not impacted by the creation of the vehicle entrance, and this tree shall not be removed in any circumstance. During the period of construction, the tree shall be adequately protected as per BS5837. The tree protection measures shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division. In regard to the existing telephone pole, the applicant shall ensure that the relevant Authority is consulted prior to works being carried out to ensure any required mitigating measures are put in place*

Reason: *In the interests of amenity.*

C5. *The development shall comply with the requirements of the City 'Roads and Traffic Planning Division', as set out 5(a)-5(d)*

Reason: *To ensure a satisfactory standard of development, in the interest of public safety".*

Plan Ref.No.5851/05

Refuse permission to ... for the following –
demolish existing single storey outhouse to the rear,
to build a new 3-storey extension to the rear, comprising
3no. 1-bedroom apartments, 59.5m² each
a new fire-escape to the side, and
all internal alterations,
all at No.32 Haddon Road, Clontarf, Dublin 3 – a
'Protected Structure',

For 4no. 'Refusal Reasons' –

1. Serious injury to adjacent residential amenity by reason of overlooking, overshadowing and visual obtrusion
2. Due to excessive bulk and scale, seriously detract from the settings of No's.32 and 33 (Protected Structures), and therefore incompatible with maintaining the character and interest of these 'Protected Structures'. Therefore, result in serious injury to the visual amenities of the area.
3. Consequent "overdevelopment of the site", with serious injury to the amenities of future occupants of the proposed apartments
4. Create an "undesirable precedent" for similar development locally.

5.0 Policy Context

5.1. Dublin City Dev. Plan (2016 – 2022)

Relevant provisions include (see copies attached):

S14.8 Primary Land-Use Zoning Categories :

Table 14.1 Primary Land-Use Zoning Categories

<u>Land Use Zoning Objective</u>	<u>Abbreviated Land Use Description</u>
Z2	Residential Neighbourhoods (Conservation Areas)

S14.8.1 'Residential Neighbourhoods (Conservation Areas)' – Zone Z2

Zoning Objective Z2 "To protect and / or improve the amenities of residential conservation areas".

Z2 General Objective – “... to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area”.

Z2 Permissible Uses – include Residential.
(see copy of pg. 213 attached)

S16.2.2.3 Extensions and Alterations to Dwellings

Council to seek to ensure that the alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context, the amenity of adjoining occupiers, and integrated with the surrounding area.

S16.10 Standards for Residential Accommodation

S16.10.2 Residential Quality Standards – Houses

(see copy of pg. 311 attached)

S16.10.12 Extensions and Alterations to Dwellings

- the design of extensions to have regard to the amenities of adjoining properties, in particular, the need for
 - light, and
 - privacy
- the form of the existing building to be followed as closely as possible
- new development to integrate with the existing building through use of similar
 - finishes, and
 - windows
- Extensions to be subordinate in terms of scale, to the main unit
- Applications for extensions will only be granted where applicant has demonstrated the proposed development will –

- not have an adverse impact on the scale and character of the dwelling
- not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of
 - privacy,
 - access to daylight and
 - sunlight.

Appendix 17 Guidelines for Residential Extensions

The Guidelines provide general advice and design principles for residential extensions (see copy attached).

5.2. **Natural Heritage Designations**

None.

6.0 **The Appeal**

6.1. **1st Party Grounds of Appeal**

6.1.1. Clarify that under Section 139 of the Planning and Development Act 2000 (as amended), applicant wishes to appeal Condition No.4 only, attached to the Planning Authority's decision to grant planning permission for the proposed development under **Ref.3507/19**.

6.1.2. **Condition No.4** requires that the development, as proposed, be revised as follows –
 “the proposed vehicle entrance and off-street car parking space to the front of the structure shall be omitted from this permission.
Reason : In the interests of visual and residential amenity, and in the interest of public safety”.

6.1.3. The application site comprises half of a semi-detached pair of houses, being Nos. 32 and 33 Haddon Road, Clontarf, located on the east side of Haddon road. These houses present as 2-storeys, set on plinth, facing Haddon Road to the front. To the rear, the houses present as 3-storeys.

At present, the dwelling is split into 5no. apartments. The development proposed, is to remove the apartments, and to return the dwelling back to a single house.

6.1.4. As advertised, and in the context of the applicant's 1st Party Appeal, a key element of the proposed development is –

(D) The construction of a new front vehicular entrance with new electric gates.

6.1.5. Reference an extract from the City Planners report which states “the Transportation Department seem to have no issue with the lamp post but have concerns about the proximity of the street tree to the proposed new entrance”.

6.1.6. Transportation Planning Division

Reference the City ‘Transportation Planning Report’ (20/08/2019) as follows :

- Proposed new 3.6m wide vehicular entrance to serve an existing dwelling on Haddon Road, Clontarf
- Note existing mature tree to front of the dwelling. The new entrance will not impact the tree.
- However, note the ‘utility pole’ located to the north of the proposed entrance that may impact the proposed pillar.
- Should a grant of planning permission be decided, “a Condition should pertain to advise the applicant to liaise with the relevant utility provider to ascertain if the pole requires relocation.
- As proposed, the vehicle entrance / access would be beneath the spread of the existing tree located on the footpath
- Therefore, the new vehicle entrance, as proposed, “would involve compromising the protection of the existing street tree, and may compromise an existing utility pole”.

- 6.1.7. Reference that with respect to the planning permission granted for the development at adjacent No.33 under **Ref.No.2817/14**, a Condition attached to the permission granted effectively reduced the vehicle entrance width to 2.6m.
- 6.1.8. Further, reference the decision to grant planning permission for a vehicular entrance on the neighbouring property No.31 Haddon Road, “as access to a mews development to the rear”, under **Ref.No.2535/16**.
- 6.1.9. Accordingly, reference –
the Drawings included, “showing our proposal to reduce the entrance to 2.6m thus giving another 1.0m clearance from the street tree”, and
a ‘transportation Report’ by TPS Ltd. enclosed.
- 6.1.10. The ‘Planners Report’ references the possibility to use the rear lane as the vehicle access, and to provide parking to the rear. This especially considering site location within an ‘Architectural Conservation Area.’

In this regard reference the Site Plan submitted demonstrating that it would not be possible to achieve this solution as there is not enough adequate space to provide parking, and sufficient turning heads due to the amount of private open space required for a 5-bedroom dwelling house.
- 6.1.11. Reference enclosed Architectural Heritage Report (c/o Arc) asserting opinion that “there is little impact on the ‘Heritage’ of No.32, or of its neighbours”.
- 6.1.12. Having regard to all of the information submitted, comprising the proposed development, assert that the proposed development –

complies with the City Development Plan 2016-2022 requirements, and
The proper planning and sustainable development of the area.
- 6.1.13. Conclusion :

- Having regard to –
 - the quality of the design,
 - the proposed scale of the development as applied for,
 - the location of the property within an ACA, and
 - the pattern of development within the area,
 It is considered that the development, as applied
 - is appropriate, and
 - the Condition No.4 requirement is unnecessary.
- Accordingly request that Condition No.4 be omitted from the Dublin City Council decision to Grant planning permission.

6.1.14. “Architectural Heritage Assessment” (c/o W.H. Hastings FRIAI, October 2019)

Submitted as part of the applicants 1st Party Appeal Submission

- Previously, No.32 Haddon Road (the ‘application site’) was listed as a ‘Protected Structure’ (**RPS 3545**)
Following adoption of the Haddon Road and Victoria Road ‘Architectural Conservation Area’ in June 2017, No.32 Haddon Road and its neighbours were “de-listed”.
- Having regard to the detail comprising Condition No.4, and to the City ‘Planners Report’, comment as follows –
 - Whereas the City ‘Transportation Planning Division’ stated no objection to the proposed vehicular entrance on traffic safety grounds, and
 - Whereas no report is apparent from the City ‘Conservation Section’,
The ‘Planners Report’ raises concern regarding the impact of the proposed vehicular entrance on the character of the ‘Architectural Conservation Area’.
- At the same time, the Planners Report notes that permissions have been granted for front vehicular entrances in the case of other houses on the same side of Haddon Road. Note that these houses are identical in character to No.32.
- The Planners Report suggests possible vehicular access via the rear lane. Confirm that this rear lane also serves the other houses where planning permission for a front vehicular access was granted.

Notwithstanding, the rear lane is very narrow, with severe difficulties regarding turning movements off and onto the lane.

- Planners Report references an extract from the Haddon Road and Victoria Road Architectural Conservation Area Report, as follows –

“The form and pattern of development fronting onto Haddon and Victoria Road provides for terraced and semi-detached residential properties with small scale front (and side) gardens and larger longer rear gardens. Therefore, proposals for off-street car parking to the front and side of these smaller gardens would result in a scale of intervention which would be significant and thus lead to the erosion of the special character and amenity of the area, and which would be contrary to the objective to preserve the special interest and character of the ‘Architectural Conservation Area’”.

- In response, comment that this is the case regarding houses on the western side of Haddon Road, across the road from No.32. These houses have very small front gardens, where creation of off-street car parking would be impractical and damaging. Some of these houses have long rear gardens. However, No.32 and its neighbours on the east side of Haddon Road have front gardens of ample size to accommodate off street car parking. This has been demonstrated by the permissions already granted, whilst their rear gardens are restricted in size.
- Note existing front boundary treatment of No.32 Haddon Road is a low wall with a pebble dashed finish, with slightly higher plain rendered piers at the gate. The other seven identical houses, neighbours to No.32 along the same side of Haddon road have the same front boundary treatment.
In some cases, hedges exist behind the rendered walls, but not in others.
No consistent pattern of planting exists in the vicinity.
Neither No.32, or its neighbours have railings. Unlike the houses across Haddon Road, where, though they vary in design, the existence of front boundary railings does contribute to the character of the road.
- Conclusion –
“The front garden boundary treatments and planting at No.32, and its neighbours, have little or no heritage value, and alterations to these

boundaries resulting from the provision of vehicular access would have little impact on the heritage of No.32 or of its neighbours”.

6.1.15. “Traffic Report” (c/o TPS, October 2019)

Submitted as part of the applicants 1st Party Appeal Submission

Introduction :

- Condition No.4 attached to the Planning Authority’s decision to grant planning permission, requires that the proposed vehicular entrance and off-street car parking space be omitted from the development.
- The Planning Authority’s reason for Condition No.4 was stated as being “in the interest of visual and residential amenity, and in the interest of public safety”.
- Reference the City ‘Transportation Planning Division’ had no objection to the proposed access and parking arrangement.

Existing Roads Situation :

- Note proposed vehicular access off Haddon Road (ie. a simple priority sliding gated T-junction arrangement) to be located between an existing tree and ‘lighting column’ off Haddon Road. The new access to enable on-site car parking, all as shown on ‘Adrian Hill Architects’ **Drawing No.1916 (P)002**
- Contextually –
 - Haddon Road is a residential street, c.7.0m wide, operating with an urban speed limit of 50kph.
 - Pedestrian footpaths exist along both sides of Haddon Road. These footpaths contain ‘trees’ and ‘street-lighting’.
 - The horizontal alignment of Haddon Road is straight. The vertical alignment gently ascends from south to north.
 - On-street car parking occurs along both sides of the Haddon Road carriageway. This parking effectively operating as a form of traffic calming ...
 - where 2-way vehicle passing is possible, it occurs at slow speed,

- where on-street car parking occurs, oncoming traffic gives way, then advancing via the passing area available within the breaks between on-street car parking.
- Along the length of Haddon Road, several cases of gated access arrangements exist, enabling vehicular access to on-site residential car parking spaces.

The majority of these vehicular access points are dished, where the footpath connects with the site and the Haddon Road Carriageway.
- Photographs No. 1 and 2, included in the report, illustrate the general layout of Haddon Road, in the vicinity of the application site.

Proposed Residential Development Site Access :

- Having regard to ‘Table 1.0 – Residential Dwelling Trip Generation’,
 - conclude that the proposed development (ie. the conversion from a series of apartments to a single residential dwelling), “does not give rise to significant daily or peak hour trip generation”.

Note : ‘Table 1.0’ shows the TRICS 2019(a) database projected trips for the single residential dwelling.

- The proposed site access off Haddon Road is to be located between an existing tree and a lighting column. The access opening would contain a sliding gate, within the western site boundary.
- Assert that the proposed site access opening width “is now 2.60m, and can be provided between the existing tree and lighting column”.
- Whilst not illustrated within the application drawings, assert expectation that the footpath between Haddon Road and the site boundary, to be dished to accommodate this access.
- Expected that traffic movements through the proposed access would be at “very low speeds”, and “with traffic exiting the site having to negotiate passed on-street parked vehicles”.
- Assert that this would not be an uncommon traffic manoeuvre locally, having regard to the extent of existing similar access arrangements along Haddon Road.
- Reference that traffic entering onto a public road at slow speed, can also be considered as following the ‘Principles’ of the ‘Design Manual for Urban Roads and Streets’, which places greater emphasis on safety, over capacity.

Conclusion :

- No technical traffic or transportation reason exists, why a simple gated access cannot be provided to serve the application site off Haddon Road.
- Suggest that should the Board be minded to grant planning permission, that the detailed design of the proposed site access to be agreed with Dublin City Council.

6.2. Planning Authority Response

None.

6.3. Observations

None

6.4. Further Responses

None.

7.0 Assessment

7.1. This is a first party appeal against **Condition No.4** of the grant of permission under **Reg.Ref.No. 3507/19**. Under Section 139 of the Planning and Development Act, 2000 (as amended), the Board has the discretion to consider this Condition in isolation from the remainder of the application. I consider, having regard to the nature of **Condition No.4**, that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted, and the appeal should be determined under the provisions of Section 139.

7.2. I have examined the file and available planning history, considered the prevailing local and national policies, physically inspected the site and assessed the proposal and all of the submissions. Having regard to **Condition No.4**, I consider the relevant planning issues relate to :

- Visual Amenity Impact / Streetscape – Haddon Road
- Planning History – Adjacent No.33 Haddon Road (**Ref.2817/14**), and
- Road Access and Traffic Safety

7.3. Visual Amenity Impact / Streetscape – Haddon Road :

- 7.3.1. I have taken note of the established, contextual scale and pattern of residential development comprising the local streetscape along Haddon Road, passed the application site – No.32.
- 7.3.2. As one moves along Haddon road, on either of the northerly or southerly approach, no reasonable visibility is possible of the rear of any of the houses. This is to be where the bulk of the proposed development is to be situated. Varied visibility of the ‘house fronts’ and associated front gardens / yards is possible from Haddon Road, largely dependent on front boundary treatment, planting and landscaping. Extensive on-street car parking along both sides of Haddon Road, further restricts visibility from Haddon Road.
- 7.3.3. Indicative of the quality of the local Haddon Road streetscape, the ‘Haddon Road and Victoria Road ‘Architectural Conservation Area’ was adopted in June 2017. Noteworthy at this time, No.32 Haddon Road – the application site and proximate neighbouring properties were ‘de-listed’ as ‘Protected Structures’.
- 7.3.4. In the ‘Deputy-Planning Officers report dated 09/09/2019, I note reference to an extract from the Haddon Road and Victoria Road ‘Architectural Conservation Area’ report, as follows :
- “The form and pattern of Development fronting onto Haddon Road and Victoria Road provides for terraced and semi-detached residential properties with small scale front (and side) gardens and larger longer rear gardens. Therefore, proposals for off-street car parking to the front and side of these smaller gardens would result in a scale of intervention which would be significant and thus lead to the erosion of the special character and amenity of the area, which would be contrary to the Objective to preserve the special interest and character of the ‘Architectural Conservation Area’.*

- 7.3.5. Whilst a general reflection of the nature, type and character of residential development comprising Haddon Road, having regard to my own observations at the time of physical inspection (see attached photographs), I do not believe this accurately reflects the composition of residential development along Haddon road. Whilst the form and pattern of residential development certainly provides for 'terraced' and 'semi-detached' residential properties, these are not mixed. Rather, Haddon Road itself provides a divide and separation between the 'terraced' residential properties along the length of the western road frontage, and excepting for a 'terrace' of residential properties along the northern section of Haddon Road from its junction with Victoria Road, the 'semi-detached' residential properties fronting the eastern side of Haddon Road, with No.32 – the application site located approximately halfway along this eastern road frontage between Clontarf Road in the south and Victoria Road in the north.
- 7.3.6. The “small scale front gardens” certainly do characterise the 'terraced' residential properties along the western Haddon Road frontage. However, this is not the case along the eastern side road frontage, with the 'semi-detached' residential properties characterised by a distinctly larger section of property frontage onto Haddon Road, larger overall property size, with comparatively larger front gardens, most with generous 'side-space' between pairs of 'semi-detached' properties (see copy of Boards 'OS' base map of the locality showing the distinction between the 'terraced' and 'semi-detached' residential properties along Haddon road, attached).
- 7.3.7. From a practical perspective, I believe that satisfactory space capacity exists within the front garden spaces of the 'semi-detached' properties, including the application site – No.32, to accommodate on-site car parking. In my view, this would be to a maximum of 2no. car spaces, and leaving sufficient area remaining to sustain boundary treatment, landscaping and planting.
- 7.3.8. In addition, the applicants case is certainly supported in my view, by the pattern of development along the eastern road frontage, characterised by existing on-site car parking in the front gardens, and with direct vehicular access off Haddon Road. In

fact, having regard to my own observations made at the time of physical inspection, of the 8no. existing 'semi-detached' properties fronting onto Haddon road, 5no. appear to have existing direct vehicular access off Haddon Road, and provision for on-site car parking. These properties include, from the southern end of Haddon Road –

No.38 – attached Photo No. 1 –

No.36 – attached Photos No. 2 & 3 –

No.33 – attached Photos No. 4 & 5 – permission granted **Ref.2817/14**

No.31 – attached Photos No. 5 & 6 – permission granted **Ref.2535/16**

No.30 – attached Photo No. 7

7.3.9. Therefore, the application site – No.32, could reasonably be considered as the exception to the existing predominant pattern of development, being one of 3no. (three) only 'semi-detached' residential properties to not have direct vehicular access off / onto Haddon road. Similarly, I share the view argued by the applicant that the proposed new vehicular entrance onto the application site would be similar to, and consistent with the existing pattern of 'semi-detached' property boundary frontages onto Haddon Road (see attached photographs).

7.3.10. A consequent visual impact must logically and reasonably be expected of any development on the application site – No.32 Haddon Road. Change anticipated under the current 1st party appeal, is specifically to do with the proposed new vehicular entrance element to the front, and part of a more comprehensive renovation development of the site, granted planning permission under **Reg.3507/19**, subject to 12no. Conditions, including Condition No.4 now the subject of the current 1st party appeal. This change cannot be avoided, subject to compliance with the Dublin City Development Plan 2016-2022. In my view application of the relevant provisions of the City Development Plan 2016-2022, the Haddon Road and Victoria Road 'Architectural Conservation Area', and the City's Policy Leaflet 'Parking Cars in Front Gardens', should be towards positively enabling reasonable domestic home improvements, whilst ensuring no threat to public safety due to traffic hazard, and protection of visual and residential amenities both of individual property owners, as well as collectively within the neighbourhood.

7.3.11. This outcome is the reasonable expectation of the ‘**Z2** – Residential Neighbourhood (Conservation Areas)’ Zoning Objective. In my view, as proposed, this has been satisfactorily demonstrated by the applicants in compliance with the relevant provisions of the City Development Plan 2016-2022.

7.4. Planning History – Adjacent No.33 Haddon Road (Ref.2817/14) :

7.4.1. Whilst 5no. properties along the eastern Haddon Road frontage proximate to the application site, enjoy direct vehicular access onto and off Haddon road, I believe reference to and a closer assessment of the background to the permission granted to the current applicant’s neighbour, adjacent at No.33 Haddon Road, under **Ref.2817/14**, for a “new vehicular entrance off Haddon Road”, is relevant to and of assistance in the planning evaluation of the applicant’s 1st party appeal arguments motivating for the omission of Condition No.4 attached amongst others to the Planning Authority’s decision to grant planning permission under **Ref.3507/19**.

7.4.2. Firstly, I deem it noteworthy that No.33 Haddon Road forms the complementary southern half of the pair of ‘semi-detached’ properties, to which the application site comprises the northern half. Accordingly, I would expect that several on-site features characterising No.33 Haddon Road would be found on the application site – No.32. In this regard I refer to width of boundary frontage, depth of front garden, front garden topography, frontage boundary treatment.

7.4.3. Having regard to observations made at the time of physical inspection, I reference that features located outside of each of properties No.32 and 33, and on the public-footpath / street verge, are co-incidentally not only the same, but are positioned in the same locations in relation to each of the respective property frontages. In addition, the existing “mature street tree” is separated from the existing “utility pole” along the No.33 frontage by the same distances these street elements exist and are separated proximate to the application site – No.32 Haddon Road frontage.

7.4.4. Of relevance is the fact that –

- each of these physical elements existed on the public footpath / verge at the time the application was submitted under **Ref.2817/14**,
- the application itself was for “a new vehicular entrance off Haddon Road”, which was positioned between the “mature street tree” and the “utility pole”, and
- that having regard to the opinions and recommendations of each of the City “Conservation Architect” and “Roads and Traffic Planning Division” at that time, planning permission was granted under **Ref.2817/14** for the new vehicular entrance subject to 9no Conditions. Condition No.3 required that *“The new vehicle entrance shall be a width of 2.6m only”*.

7.4.5. Having established and clarified that the site conditions and characteristics at No.32 – current application site, are consistent and comparable with those existing adjacent at No.33, but also more relevantly in my view at the time of the Planning Authority’s decision to grant planning permission for a new vehicular entrance off Haddon Road under **Ref.2817/14**, I am inclined to a planning assessment of the merits of the current applicant’s 1st party appeal under **Ref.3507/19 (PL ABP-305559-19)**, more in line with the Planning Authority’s considerations under **Ref.2817/14** than its considerations under **Ref.3507/19**.

7.4.6. The City ‘Deputy Planning Officers’ report (**Ref.2817/14**, 29th July 2014) is attached to the current appeal file.

Whilst noting the opinions and recommendations of each of the City ‘Conservation Architect’ and ‘Roads and Traffic Planning Division’ that planning permission be granted, subject to Conditions, I reference the following extract from the ‘Deputy Planning Officers’ report in a bit more detail, and contrary to the Planning Authority’s opinion concluded under **Ref.3507/19**, as being appropriately relevant to the consideration of the current applicant’s proposal for a new vehicular entrance opening through the boundary frontage of No.32 – the application site.

“The vehicle entrance would be created adjacent to the southern shared boundary of the site. It would have a stated width of 3.0m and linear parking for 2no. cars would be provided along the southern boundary. The Development Plan restricts the width

of such entrances to Protected Structures to 2.6m. It is noted that there is a tree on the public footpath outside the site, in addition to a telegraph pole. It is unclear whether either of these features would be impacted upon by the entrance. In terms of the existing streetscape the dwellings opposite on the west side of Haddon Road do not have sufficient depth to accommodate vehicles on-site and there are two examples of vehicle entrances to other dwellings of this type on the street.

The dwelling has adequate space to the front and side to accommodate car parking safely without compromising the setting of the Protected Structure. Subject to the entrance being reduced to 2.6m with no more than two parking spaces provided with the remainder of the front garden being retained in soft landscaping / planting, the proposed entrance would be acceptable. This is also contingent on the entrance having no impact on the existing features on the Pavement outside.

..... The City Conservation Architect has expressed no issue with the works in the context of the Protected Structure.

The proposed development is considered consistent with the Dublin City Development Plan 2011-2017, and with the proper planning and development of the area. It is recommended that permission be granted”.

7.4.7. With the planning permission for a new vehicular entrance off Haddon Road granted under **Ref.2817/14** as a reference, and having regard to my own observations made at the time of physical inspection, I believe that no disproportionate negative impact will result consequent of the applicant’s proposed new vehicular entrance opening into the application site – No.32. Subject to further appropriate supplementary Conditioning (see 7.5 and 10 below), I have no objection to the omission of Condition No.4 from those attached to the Planning Authority’s decision to grant planning permission under **Ref.3507/19**.

7.4.8. I recommend to the Board accordingly.

7.5. Road Access and Traffic Safety :

7.5.1. The suitability of the application site for consolidation of single family domestic residential development will be determined amongst others, with reference to potential for traffic hazards caused by the proposed development, and consequent additional vehicular access, and associated turning movements onto and loading of Haddon Road, a local urban residential street. The safety and convenience of all road users is emphasised by the Dublin City Development Plan 2016-2022.

7.5.2. I reference that “public safety” consideration was stated as an element of the ‘reason’ for the inclusion of Condition No.4 (amongst 12no. Conditions) to the Planning Authority’s decision to grant planning permission under **Ref.3507/19**.

Condition No.4 requires revision as follows –

“The proposed vehicle entrance and off-street car parking space to the front of the structure shall be omitted from this permission”.

7.5.3. The scope of the applicants 1st party appeal focuses on the motivation for the omission of Condition No.4.

7.5.4. Historically, it appears that sole vehicular access onto the No.32 Haddon Road property, has been via the narrow, cul-de-sac lane to the rear (east) (see photographs no.10-12 attached). Primary vehicular access onto the site is now proposed directly off Haddon Road to the front (west).

7.5.5. I have had regard to the Planning Authority’s expressed view that the application site is already served via a rear laneway, and that therefore a new vehicular access is not required to enable off-street car parking space.

7.5.6. Whilst the Planning Authority view may be factually correct, having thoroughly inspected the location of the application sit in the context of Haddon Road to the front, and the narrow cul-de-sac laneway to the rear, I am rather inclined towards a

more enabling consideration of the proposed new vehicular entrance directly off Haddon Road, as follows –

- Whilst straight, the rear cul-de-sac laneway is narrow, with existing fixed boundary treatments inhibiting vehicular turning movements. Multiple accesses, including ‘Mews’ residential property exist along this substandard laneway.
- Traffic safety at the junction with Clontarf Road to the south is substandard due to the “informality” of arrangements and with unsatisfactory sightline visibility to both approaches along Clontarf Road.
- The onsite ‘private open space’ requirements proposed to serve a substantial 5-bedroom dwellinghouse, to be provided to the rear, itself constrains the applicants reasonable capacity to provide ‘off-street’ car parking space to the rear, to be accessed from the substandard cul-de-sac laneway.
- Having regard to my own observations made at the time of physical inspection, I note that several of the ‘semi-detached’ residential properties fronting onto the eastern side of Haddon road, have dual vehicular entrances, both off the cul-de-sac laneway to the rear, and Haddon Road to the front. In my view, this existing established pattern of development is enabling of the development, as proposed on the application site – No.32, with a new vehicular entrance off Haddon Road.
- Notwithstanding the existing rear entrance off the cul-de-sac laneway, and the existing small parking space layout to the rear, the current application includes for a new vehicular entrance to the front. I am of the view that this element of the comprehensive renovation proposed for No.32 – the application site, requires in itself planning evaluation on its merits. The existing parking space layout to the rear is also a non-issue, as this would be covered by the proposed extensions and landscaping to the rear garden / private amenity space.

7.5.7. Haddon Road itself, an urban residential street, has a width of c.7.m, and an urban speed limit of 50kph. Pedestrian footpaths along both sides enables good vehicular / pedestrian separation and intervisibility. With north to south alignment, Haddon Road is straight. On-street car parking occurs along both sides of the Haddon Road

carriageway, and operates effectively as a form of traffic calming. Where 2-way vehicle movements are possible (generally where no on-street car parking occurs, on one or both sides of Haddon Road), such vehicle movements occur at slow speed. In fact, I note that due to the in-situ traffic calming enabled by the extensive on-street car parking along both sides, vehicular speeds along Haddon Road are slow. Certainly below the urban speed limit – 50kph.

- 7.5.8. Having regard particularly to the residential ‘semi-detached’ pattern of development along the eastern Haddon Road frontage, with existing vehicular entrances directly off Haddon Road, I assert that vehicular movements onto and off No.32 – the application site, would not be an uncommon vehicular movement locally. Similarly in my view, it must be expected that vehicular movements through the proposed new entrance opening would be at very slow speed.

In this regard, I share the applicants conviction that vehicular movements onto Haddon road, at slow speed, can also be considered as following the Principles of the ‘Design Manual for Urban Roads and Streets’ (DMURS), which places greater emphasis on safety, over capacity.

Accordingly, I believe that no serious or disproportionate threat to public safety would result from increased domestic family vehicular movements arriving onto and leaving No.32 Haddon Road, consequent of a new vehicular entrance opening off Haddon Road being granted planning permission.

- 7.5.9. Having regard to Section 16.10.18 – “Parking ... in Conservation Areas”, of the City Development Plan 2016-2022, a precautionary approach to the consideration of proposals for off-street car parking in the front gardens of residential properties located within ‘Architectural Conservation Areas’, is clearly set out. I have set out at 7.3 and 7.4 above, with respect to the application site – No.32 itself, and in the local context of the row of larger semi-detached residential properties fronting onto the eastern side of Haddon Road, that favourable site conditions exist which enable ‘off-street’ car parking space provision without significant loss of visual amenity and historic fabric

7.5.10. In this regard whilst no 'Conservation Architect' comment and recommendation regarding the current application is apparent, I reference the opinion reported by the City 'Conservation Architect' under **Ref.2817/14**, for the adjacent complementary 'semi-detached' property at No.33, and which included an element comprising a new vehicular entrance opening off Haddon Road, as relevant.

7.5.11. Under Ref.**2817/14** the City 'Conservation Architect' reported as follows –

“Dating from c.1900 this is a fine example of its type and typical in many ways for this area, although semi-detached and on a generous site. It retains many of its original features, not that they are exceptional or unusual in any way ...”

“The ‘Conservation Officer’ notes the proposed creation of an ‘Architectural Conservation Area’ for Haddon Road, and recommends a grant of permission with Conditions ...”

7.5.12. Further, under **Ref.2817/14** for adjacent No.33, the 'Deputy Planning Officers' consolidating opinion was as follows –

“The dwelling has adequate space to the front and side to accommodate car parking safely, without compromising the setting of the ‘Protected Structure’. Subject to the entrance being reduced to 2.6m with no more than 2-parking spaces provided, with the remainder of the front garden being retained in soft landscaping / planting, the proposed entrance would be acceptable. This is also contingent on the entrance having no impact on the existing features on the pavement outside”.

7.5.13. Whilst I am satisfied that no serious or disproportionate negative impact will result on the local visual and residential amenity, and traffic safety, were existing Condition No.4 to be omitted, I assert necessity to replace and supplement the suite of Conditions attached to the current grant of planning permission under **Ref.3507/19**.

These would be similar to Conditions No.3, 4 and 5 attached under **Ref.2817/14**. Adopting this pragmatic approach, the width of the entrance opening would be restricted to 2.6m. I note that in the applicant's 1st party appeal submission reference is made to the revised Drawings included, “showing our proposal to reduce the entrance to 2.6m, thus giving another 1.0m clearance from the street tree”. I

reference that not only would the reduced width of 2.6m replicate the width of the adjacent No.33 opening, but this would also satisfactorily comply with Section 16.10.18 – “Parking ... in Conservation Areas”, which specifies that an entrance be “no greater than 2.6m”, together with the City ‘Policy Leaflet’ – “Parking Cars in Front Gardens”(see copy of City ‘Policy Leaflet attached).

7.5.14. Further consistency would be achieved by the supplementary Conditions including specification that –

- a maximum of 2no. car parking spaces be provided on-site, with the remainder of the front garden being permanently retained in soft landscaping / planting,
- that new gate pillars and any proposed gates be similar to the existing front boundary treatments along the eastern Haddon Road frontage
- that the existing ‘street-tree’ located on the public footpath / verge not be removed in any circumstance, and not be impacted by the creation of the new vehicular entrance.
- that during construction adequate protection be provided to the tree as per ‘**BS 5837**’, and having regard to the City’s ‘Guidelines for Open Space Development and Taking in Charge’ (Copies understood available from the Parks and Landscape Services Division)
- that with regard to the existing ‘utility-pole’, the applicant demonstrate consultation with the relevant Authority, prior to works being carried out, in order to ensure that required mitigating measures are put in place, and
- that the development comply with the specified requirements of the City ‘Roads and Traffic Planning Division’ (ie. kerb and footpath finishing, and gates not to be ‘outward opening’, amongst others).

7.5.15. Having regard to all of the above, I am left to conclude that no technical traffic or transportation reason is clearly apparent, why a simple domestic gated entrance opening cannot be provided to serve the application site at No.32 Haddon Road.

Further, that subject to appropriate supplementary Condition requiring reduction of the entrance opening width to 2.6m, and consultations with the City ‘Parks and Landscape Services Division’ and relevant Authority re. the ‘utility pole’, no adverse

or disproportionate affect on the special interest and character of local architectural heritage compromising Haddon Road, and associated visual and residential amenity will result.

- 7.5.16. Accordingly I believe that the omission of Condition No.4, and the consolidation of the proposed vehicular entrance off Haddon Road element into the broader renovation development project granted planning permission under **Ref.3507/19**, would be in accordance with the 'Z2 – Residential Neighbourhood (Conservation Area)' Zoning Objective and other relevant provisions of the Dublin City Development Plan 2016-2022, and would be in accordance with the proper planning and sustainable development of the area

8.0 Recommendation

- 8.1. I recommend that the Board, based on the reasons and considerations set out below, directs the said Council under Section 139 of the Planning and Development Act, 2000 to REMOVE Condition No.4, and to substitute with supplementary Conditions 1,2 and 3, set out below.

9.0 Reasons and Considerations

Having regard to the extent of the proposed development as a whole, to “the new front vehicular entrance, with new electric gates” element thereof, and to the pattern of contextual residential development in the vicinity along Haddon Road, it is considered that the requirements of Condition No.4 that “the proposed vehicle entrance and off-street car parking space to the front of the structure shall be omitted are not necessary, and that the proposed development would have no adverse or disproportionate negative impact on the special interest and character of local Architectural Heritage comprising Haddon Road, and associated visual and residential amenity, and nor would adverse or disproportionate impact on public safety result consequent of domestic family traffic movements onto and off Haddon Road through the new vehicular entrance opening proposed.

Accordingly, I believe that subject to supplementary / substitute Conditioning set out below, the omission of Condition No.4, and the consolidation of the proposed vehicular entrance off Haddon Road element into the broader renovation development project granted planning permission under **Ref.3507/19**, would be in accordance with the “**Z2** – Residential Neighbourhoods (Conservation Areas)” Zoning Objective, the other relevant provisions of the Dublin City Development Plan 2016-2022, the Haddon Road and Victoria Road ‘Architectural Conservation Area’, and the City’s Policy Leaflet ‘Parking Cars in Front Gardens’, and would therefore be in accordance with the proper planning and sustainable development of the area.

10.0 Supplementary / Substitute Conditions

Condition No.1 : The new vehicle entrance shall be a width of 2.6m only. The reduction in width shall be inward of the proposed southern gate pillar. A maximum of 2no. car parking spaces shall be provided on site, with the remainder of the front garden being permanently retained in soft landscaping / planting. The new gate pillars and any proposed gates shall be similar to the existing front boundary treatments.

Reason : In the interests of the visual amenity of the local streetscape, and to comply with the relevant Development Plan requirements for vehicle entrances and car parking within the curtilage of Architectural Conservation Areas.

Condition No.2 : The applicant shall ensure that the existing tree on the public footpath is not impacted by the creation of the vehicle entrance, and this tree shall not be removed in any circumstance. During the period of construction, the tree shall be adequately protected as per **BS 5837**. The tree protection measures shall have regard to the ‘Guidelines for Open Space Development and Taking in Charge’, copies of which are available from the ‘Parks

and Landscape Services Division. In regard to the existing 'utility pole' the applicant shall ensure that the relevant Authority is consulted prior to works being carried out to ensure any required mitigating measures are put in place.

Reason : In the interests of Amenity.

Condition No.3 : The development shall comply with the following requirements of the 'Roads and traffic Planning Division' of Dublin City Council :

- (a) Footpath and Kerb to be dished and new entrance to be provided to the requirements of the City 'Roads Maintenance Department'.
- (b) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
- (c) The vehicular entrance shall not have outward opening gates.
- (d) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason : To ensure a satisfactory standard of development in the interest of public safety.

L.W. Howard
Planning Inspector

07th February 2020