



An
Bord
Pleanála

Inspector's Report ABP-313657-22

Development	Alterations to the front boundary of the house to facilitate vehicular access, dishing of the kerb and all associated site works.
Location	No. 35, Haddon Road, Clontarf, Dublin 3.
Planning Authority	Dublin City Council North.
Planning Authority Reg. Ref.	WEB1234/22.
Applicant(s)	Shea McNeils & Melanie Crowley.
Type of Application	Planning Permission.
Planning Authority Decision	Refused.
Type of Appeal	First Party.
Appellant(s)	Shea McNeils & Melanie Crowley.
Observer(s)	None.
Date of Site Inspection	5 th day of September, 2022.
Inspector	Patricia-Marie Young.

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1.0 Site Location and Description

- 1.1. No. 35 Haddon Road has a stated site area of 499m². It is located on the eastern side of Haddon Road, a mature residential with a strong period character tree lined street, circa 100m to the north of its junction with the Clontarf Road (R807) and c115m to the south of its junction with Victoria Road, in the Dublin city suburb of Clontarf, in north County Dublin.
- 1.2. The site contains an attractive redbrick terraced semi-detached dwelling that is setback from Haddon Road by walled front garden that contains a period paved pedestrian pathway that runs along its northern side providing connection to the front door. It is attached to its matching pair on its northern side (No. 34 Haddon Road), and it forms part of the Haddon Road and Victoria Road Architectural Conservation Area.
- 1.3. At the time of inspection both sides of Haddon Road were used for on-street car parking.
- 1.4. Photographs taken during my inspection of the site and its setting are attached.

2.0 Proposed Development

- 2.1. Planning permission is sought for a development consisting of the alterations to the front boundary of the house to facilitate vehicular access, dishing of the kerb and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority's Notification of the Decision to **Refuse** Permission was issued on 10th May, 2022. It reads:

"1. Having regard to Policy 16.10.18 of the Dublin City Council Development Plan 2016-2022, and Sections 6.2, 6.3 and 7.3.6 of the Haddon Road and Victoria Road Architectural Conservation Area, the proposed vehicular entrance would lead to the erosion of the special character and amenity of the area, which would be contrary to

the objectives set out within the Architectural Conservation Area to preserve its special interest and character. The proposed development is therefore contrary to the proper planning and sustainable development of the area.

2. The development would impact on the existing street tree in front of the property and would seriously injure residential amenities of property in the vicinity. The proposed development is contrary to Section 16.3.3 of the Dublin City Development Plan and the Dublin Tree Strategy. The provision of a vehicular entrance as set out in the proposal or so modified as to avoid impact on the existing street tree at this location would be substandard having regard to the minimum entrance width standard of 2500mm. Furthermore, the proposal will lead to the loss of on-street car parking contrary to development plan policy MT14. The development would set an undesirable precedent along this street and would, therefore, be contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officers report is the basis of the Planning Authority’s decision.

3.2.2. Other Technical Reports

Drainage: No objection.

Transportation: Recommends a refusal of permission.

Conservation: Recommends a refusal of permission.

Dublin City Tree Officer: Recommends a refusal of permission.

3.3. Prescribed Bodies

3.3.1. None received.

3.4. Third Party Observations

3.4.1. None received.

4.0 Planning History

4.1. Site:

- 4.1.1. **P.A. Ref. No. 4306/02:** Planning permission was **granted** for a single storey shed, conversion and alteration of an existing mews structure to the rear.
- 4.1.2. **P.A. Ref. No. 3961/02:** Planning permission was **granted** for a single storey extension to rear ground floor level.

4.2. Setting – Planning Authority decisions

- 4.2.1. **P.A. Ref. No. 5420/07:** Planning permission was **granted** for the construction of a vehicular entrance to the front to provide car parking spaces and also included the provision of a dropped kerb on the public domain at No. 36 Haddon Road, the adjoining property to the immediate south and relating to a similar matching period semi-detached pair.

4.3. Setting – Relevant Board decisions

- 4.3.1. **ABP Ref. No. ABP-305559-19 (3507/19):** On appeal to the Board permission was granted for a development consisting of 1.) The demolition of a rear single storey annex. 2.) Reinstating the dwelling as a single residential unit from 5 no. apartments. 3.) The construction of a single storey extension to the rear and side of the existing house with associated rooflights. 4.) The construction of a new front vehicular entrance with new electric gates. 5.) Other minor works, boundary treatments and all associated site works at No. 32 Haddon Road.

This appeal related to the requirements of Condition No. 4 only.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board directed the Planning Authority to AMEND and for it to read as follows:

- “4. (a) *The new vehicle entrance shall be 2.6m wide and shall not have outward opening gates. The reduction in width shall be inward of the proposed southern gate pillar. A maximum of 2 no. 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.*

(b) The developer 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 protected in accordance with British Standard 5837 (2012).

(c) Prior to the commencement of development, the developer shall consult with the relevant Authority in respect of the existing utility pole."

The stated reason for this condition reads: "in the interests of amenity".

The Boards reasons and considerations reads:

"Having regard to the pattern of development in the area, and to the planning history including that relating to the adjoining property at No. 33 Haddon Road, it is considered that the omission of a vehicle entrance, as required by Condition No. 4 is unwarranted, and that the proposed reduced width entrance, as submitted with appeal, would be acceptable subject to the retention of the remainder of the front garden and the protection of the street tree."

Decision date: 03/03/2020.

5.0 Policy Context

5.1. Development Plan

5.1.1. Dublin City Development Plan 2016-2022

The site is located within Zoning Objective 'Z1' which has the stated objective: "*to protect, provide and improve residential amenities*".

The site is located within the '*Haddon Road and Victoria Road Architectural Conservation Area*'. The houses in this area, including 35 Hadden Road, were removed from the Record of Protected Structures at the same time as the ACA was designated.

The following objectives/ policies are relevant:

- Policy MT14 – to minimise loss of on-street car parking, whilst recognising that some of loss spaces is required for, or in relation to sustainable transport provision, access to new developments or public realm improvements.

- Objective FCO32 - The designated residential suburban ACAs will primarily protect the front facades and streetscape character.
- CHC1 & CH4 - Protection of built heritage and character.
- Section 6 - To provide for the retention of front gardens, railings, trees, and landscape features within the ACA and to ensure that development is not detrimental to the character of the ACA.
- Section 16.10.18 - Sets out that poorly designed off-street parking in the front gardens of protected structures and in conservation areas can have an adverse effect on the special interest and character of these buildings and areas. For this reason, proposals for off street parking in the front gardens of such buildings 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 result in the erosion of the character and amenity of the area.
- Section 7.3.6 - Boundary walls and railings. This includes front boundary treatments and historic boundaries with the loss or alteration of these considered to be detrimental to the general character of the ACA. It also notes that the mature front gardens contribute to a sense of open space and enhance the streetscape setting.
- Section 7.3.7 - Natural features such as trees that contribute to the character of the ACA should be retained and protected in new developments.
- Section 3.3.1 - Seeks protection of existing trees.
- Section 3.3.3 - Design of vehicular access requires consideration on the impact it would have on trees and entrances should be designed to avoid conflict with street trees. Where conflict is unavoidable and where a tree, located on-street, requires removal to facilitate a new or widened vehicular entrance and cannot be conveniently relocated within the public domain then a financial contribution will be required in lieu.
- Section 8.5.6 - Car Parking.
- Appendix 5 - Road and Footpath Standards for Residential Development

Where driveways are provided, they shall be at least 2.5 m or, at most, 3.6 m in width, and shall not have outward opening gates. The design standards set out in the planning authority's leaflet 'Parking Cars in Front Gardens' shall also apply.

5.2. Other

5.2.1. Parking in Front Garden - Guidance Leaflet prepared by Dublin City Council.

The basic dimension to accommodate the footprint of a car within a front garden area is 3 metres by 5 metres. It is essential that there is also adequate space to allow for manoeuvring and circulation between the front boundary (be it a wall, railing or otherwise) and the front of the building. A proposal will not be considered acceptable where there is insufficient area to accommodate the car safely within the garden and provide safe access and egress from the proposed car parking space, for example near a busy road or a junction with restricted visibility.

Narrow widths are generally desirable and maximum widths will generally only be acceptable where exceptional site conditions exist. Generally, the vehicular opening shall be at least 2.5 metres or at most 3.6 metres in width and shall not have outward opening gates.

The summary principles are:

- a) The front garden shall still give the impression of being a front garden.
- b) New work to the front boundary should be sympathetic to that existing and to the street
- c) Where a gate pier or gate support has to be removed, it should be reused or reproduced in a new position.

5.3. Natural Heritage Designations

- 5.3.1. The site lies c158m to the north of South Dublin Bay & River Tolka Estuary SPA (Site Code: 004024).

5.4. EIA Screening

- 5.4.1. The proposed development is not of a nature or scale which would fall within the fifth schedule of the Planning and Development Regulations, 2001, (as amended), such as would necessitate the carrying out of an EIAR.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A First-Party appeal has been lodged by MARA Architects on behalf the applicants and seeks that the Board overturn the Planning Authority's Notification of the Decision to Refuse Permission. It can be summarised as follows:

- An overview of the Planning Authority's reasons for refusal is given.
- An overview of the site and its setting is given.
- There is on-street parking on Haddon Road but there is no provision of meter parking control measures of residential parking permits.
- Though located in an ACA the subject property is not afforded Protected Structure designation.
- Examples of existing vehicular entrances on Haddon Road are cited.
- The subject property is a semi-detached property that has space to accommodate off-street car parking with access from its 11.3m roadside frontage.
- The proposed 3.1m vehicular entrance would result in 70% of the roadside front remaining intact as well as leave space for planting.
- The provision off street carparking would not detract from the character of this property.
- In 2014 a similar vehicle entrance was permitted on the adjacent property of No. 33 Haddon Road.
- The provision of this vehicle entrance would not result in the erosion of the distinctive character and amenity of this area.
- The proposed entrance is located with greater distance than the 2500mm separation from the tree which was raised as a concern by the Planning Authority's Road Department. In addition, the location of the entrance proposed and juxtaposition to an existing street tree is similar to that permitted by the Planning Authority at No. 33 Haddon Road.

- In the case of No. 32 Haddon Road on appeal to the Board no road traffic or other issues arose, and a vehicle entrance was permitted.
- The applicant seeks to provide a vehicular entrance similar to others present along Haddon Road.

6.2. Planning Authority Response

6.2.1. None received.

7.0 Assessment

7.1. Introduction

7.1.1. Having examined the application details and all other documentation and submissions on file, inspected the site and its setting, had regard to relevant planning provisions, I consider that the main issues in this appeal relate to the two reasons given by the Planning Authority in their notification decision for the refusal of permission for the alterations to the front boundary of No. 35 Haddon Road and associated site works so that it could accommodate off street vehicle car parking. I propose to deal with the issues in this appeal case under the following broad headings:

- Impact on the ACA
- Planning Precedent
- Traffic
- Residential Amenity Impact

7.1.2. The matter of '*Appropriate Assessment*' also requires assessment.

7.1.3. Before I commencement my assessment I note to the Board that I concur with the Planning Authority's Case Officer on the matter of residential development being generally acceptable on 'Z1' zoned which has a stated objective of protecting, providing and improving residential amenities' subject to the safeguards including that the proposed development does not give rise to any adverse impact on the Haddon Road and Victoria Road Architectural Conservation Area it forms part of. Outside of the broad issues highlighted above I consider that there are no other substantive planning issues arising in this particular appeal case.

7.2. Impact on the ACA

- 7.2.1. I note to the Board that No. 35 Haddon Road, was provided specific protection as a List 2 building prior to the adoption of the Haddon Road and Victoria Road Architectural Conservation Area. This was the case for a total of 55 other properties prior to the creation of the said ACA. I further note that Section 11.1.5.8 in relation to the demolition of structures within an ACA will be considered having regard to the impact on the character of the ACA. The roadside boundary of No. 35 Haddon Road is the original roadside boundary of this semi-detached Victorian period pair of matching dwellings. Its adjoining pair No. 34 Haddon Road also maintains its original roadside boundary treatment as do many of the period properties particularly on the eastern side of Haddon Road but also in terms of the period dwellings that comprise this ACA.
- 7.2.2. Whilst there are a variety of period properties that contribute to the intrinsic special architectural qualities of the Haddon Road and Victoria Road Architectural Conservation Area this richness is also present in the variety and the patina of age of its surviving period roadside boundaries which includes cast iron railings on plinths through to rendered capped walls and piers. These like the varying architectural 2-storey terrace and semi-detached dwellings though maintaining a uniformity in their setback from the roadside boundary, their building to space relationship through to similar palettes of materials between the different built typologies and residential insertions create a strong sense of unique character and place that is reinforced as well as provided further unity by the roadside boundaries through to the natural features such as the trees that align the pedestrian footpath as it slopes in a southerly direction towards Clontarf Road.
- 7.2.3. The surviving features like roadside boundaries contribute to this ACA's integrity and allows for its architectural interest to be appreciated from the public domain.
- 7.2.4. In relation to parking in conservation areas Section 16.10.18 of the Development Plan recognises that poorly designed off-street parking in the front gardens of conservation areas can have an adverse effect on the special interest and character of these buildings and these areas. It states that: *"for this reason, proposals for off-street parking in the front gardens of such buildings will not normally be acceptable where inappropriate site conditions exist"* and where they can lead to the erosion of the character and amenity of the area.

- 7.2.5. In certain limited circumstances off-street car parking will be considered but it sets out that this is subject to safeguards including that the proposal does not give rise to a traffic hazard; that it accords with the design criteria set out in Chapter 16; that the proposed vehicular entrance should, where possible, be combined with the existing pedestrian so as to form an entrance no greater than 2.6m.
- 7.2.6. As discussed under the broad heading of 'Traffic' the proposed entrance is in excess of the 2.6m maximum, that it has not been satisfactorily demonstrated that no adverse traffic impacts would arise, that insufficient justification for the loss of original built fabric and what is historically soft landscaped semi-private domain between the front façade and the roadside boundary has been provided for a second entrance to serve this property, through to that the entrance and the dropped kerb could be provided without giving rise to adverse impact to semi-mature tree in its immediate vicinity in a streetscape scene whose character in terms of natural features is defined by being lined by individual mature trees.
- 7.2.7. Of further concern Section 6.3 of the Development Plan seeks to retain not just front gardens within the Haddon Road and Victoria Road ACA but also its boundary treatments. With Section 7.3.8 of the Development Plan on the matter of boundary treatments stating that: *"historic boundaries are important architectural and streetscape features. This includes boundary walls, railings, side boundary walls and rear boundary walls. The loss or alteration of these features over time will be detrimental to the overall character of the area"* and that the *"mature front gardens and trees that line the pavement both contribute to a sense of open space and enhance the streetscape setting"*.
- 7.2.8. Based on the above considerations together with the other concerns raised in the following sections of this assessment I concur with the Planning Authority's Conservation Officer in her concluding recommendations for refusal which reads:
- "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 longer rear gardens. Therefore, the 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 would 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 ACA.”

Having regard to the above considerations, I similarly concur with the Planning Authority’s conservation officer that permission for the proposed development should be refused on this basis that they set out.

7.3. Planning Precedent

- 7.3.1. I note that the appellant in this appeal case refers to the fact that there are vehicle entrances present within the site setting of the appeal site within the ACA setting of Haddon Road and Victoria Road Architectural Conservation Area.
- 7.3.2. With this including that permitted by the Board under a Section 139 appeal (ABP-305559-19 (P.A. Ref. No. 3507/19)) subject to amendments for a similar boundary amendment to accommodate off-street car parking area at No. 32 Haddon Road and that permitted by the Planning Authority under P.A. Ref. No. 5420/07 at No. 36 Haddon Road, the adjoining property to the immediate south.
- 7.3.3. Both of these examples relate to similar semi-detached period pairs but with different contexts including but not limited to the following factors:
- The different topography and relationship with the mature tree planting that positively contributes to Haddon Roads visual character.
 - No. 36 Haddon Road not having rear vehicle access onto the mews lane; through to:
 - No. 32 relating to an apartment development with at some point prior to the Board considering this appeal case part of the period roadside of the width to accommodate vehicle access as well as egress having been removed combines with access onto the rear mews lane from this property being more restrictive due to its limited length and limited width of the vehicle access it accommodated alongside the substandard nature of this lane to accommodate the additional quantum of vehicles the proposed development would generate.
- 7.3.4. Having inspected the site setting I observed that the eastern side of Haddon Road, in terms of built integrity intactness of its roadside boundary treatments, together with the presence of soft landscaping in the semi-private domain adjoining the public domain of properties addressing Haddon Road are not as diminished by the cumulative loss

of original built fabric from roadside boundaries to accommodate vehicle access and in turn off-street car parking. This also appears to have resulted in more mature trees being present on the eastern side of the public domain of Haddon Road than on its western side.

- 7.3.5. As such from observing the public domain of the site's ACA setting the *ad hoc* insertion of vehicle access and loss of original built fabric from the roadside boundaries through to the varying quality in how these interventions have been made has cumulatively diminished the visual qualities and intrinsic characteristics of this period architectural conservation area streetscape scene. This diminishment has therefore diluted materially in an adverse manner its intactness, visual integrity and patina of original built features as appreciated from the public domain. In my view further *ad hoc* developments would cumulatively add to this erosion of period character.
- 7.3.6. On this matter I conclude that like any other development the proposed development sought under this application should be assessed in terms of their contribution towards the achievement of the applicable zoning objective, the vision for the zoning objective and the added layer of consideration required due to the protection afforded to the architectural and period quality of this streetscape setting as an Architectural Conservation Area.

7.4. Traffic

- 7.4.1. The site contains a roadside boundary that just exceeds 11m in its length and includes a pedestrian access. It and its matching stretch of roadside boundary to the north which bounds the roadside boundary of the curtilage of its matching pair No. 34 Haddon Road is original to both properties. The semi-private domain between the front façade of No. 35 Haddon Road and the public domain of Haddon Road is raised. The pedestrian footpath immediately adjoining the site contains one Haddon Road's mature trees. This is combined with the mature trees that align Haddon Road create a sylvan character that is contributed to in part by many of the period properties containing mature soft planting in their front garden areas. As such it is visually attractive in architectural and natural feature streetscape scene.
- 7.4.2. The public carriageway adjoining accommodates on-street car parking on both sides with this slowing the movement of traffic along Haddon Road due to it effectively restricting the width to a single functioning carriageway.

- 7.4.3. At the time of inspection there was a steady flow of traffic with the traffic moving slower than the posted 30kmph posted speed limit.
- 7.4.4. I observed that the availability of car parking on this street was limited due to a large number of vehicles being parked on either side and with this being a similar situation on Victoria Road.
- 7.4.5. This proposal seeks a 3.1m in width vehicle entrance positioned towards the southern end of the roadside boundary and with this entrance facilitating access and egress to two proposed off-street car parking spaces that would be provided within an amended and reduced in soft landscaping front garden area.
- 7.4.6. In order to accommodate off-street car parking, it is proposed to dish the adjoining stretch of the public footpath. This would not only result in the adjoining public carriageway not being able to accommodate future on-street car parking it would also result in amendments to the pedestrian footpath that would be within 1.5m of the trunk of the mature tree to the north west of it.
- 7.4.7. This tree is a mature and high-quality tree that forms part of a group of surviving mature trees that add positively to the visual amenity of Haddon's Road streetscape scene. They are also natural features that survive and subject to appropriate care contribute to the biodiversity of this suburban Victorian period streetscape setting.
- 7.4.8. The proposed vehicle entrance and its associated modifications of the pedestrian footpath even if reduced from its 3.1m in width size and repositioned would interfere with the root system of this tree. In turn the works would potentially adversely impact on the health and longevity of this tree in a manner that would conflict with Section 5.1. Appendix 5 of the Development Plan that sets out that this type of development should not interfere with any features such as trees.
- 7.4.9. In addition, Section 16.3.3 of the Development Plan sets out that such developments avoid conflict with street trees, and it also states that "*root systems, stems and canopies, with allowance for future movement and growth need to be taken account of in all projects*".
- 7.4.10. This application in my view does not demonstrate this and this is further of a concern as the ground levels of the footpath would require augmentation to lower them thus inevitably resulting in damage to the root system of this nearby mature tree.

- 7.4.11. I note to the Board that the Dublin City Tree Officer correctly states that the: *“plans show that the new vehicular access will be 3100mm wide and that dishing of the footpath will be located 1150mm from the existing semi-mature tree. Dishing so close to the tree will impact on the root system of the street tree”*. They also go on to state that it is recommended that dishing be carried out 2500mm from a tree of this size. This I note can not be achieved at the location of the proposed entrance even as said if reduced in size and/or moved to a different location along the roadside boundary. The Dublin City Tree Officer concluded with a recommendation of refusal.
- 7.4.12. I note that Section 16.3.3 of the Dublin City Development Plan and the Dublin Tree Strategy which seeks to protect such natural features from loss and harm.
- 7.4.13. Similarly, the Senior Transportation Officer of the Planning Authority recommended a refusal and in doing so also notes that the site already contains a vehicle entrance onto the rear access lane.
- 7.4.14. I also note that in terms of the reduction of size of the entrance to avoid conflict with the root system the level of reduction required would in their view result in a size of vehicle entrance that would be substandard.
- 7.4.15. In addition to this, I again note that there is a rise in the height of the public carriageway to the pedestrian footpath and to the site itself where the two off-street car parking spaces are proposed.
- 7.4.16. This in addition to the presence of obstruction arising from the height of the roadside boundaries on either side, the presence of other visual obstacles like the trees on the public footpath through to the use of the public carriageway adjoining the eastern side of the Haddon Road for car parking would result in poor visibility for vehicles entering and accessing from the proposed entrance.
- 7.4.17. Against this context I consider that there is potential for conflict to arise with other road users including vulnerable road users using the public footpath.
- 7.4.18. Moreover, the submitted drawings do not show that the provision of two car parking spaces would be designed in a manner that would allow adequate turning movements for vehicles to access and exit from the proposed entrance in forward gear.
- 7.4.19. I also consider the extent of soft landscaping to be at odds with the original design intent and layout of this semi-detached pair and to permit the proposed development

would diminish the surviving visual integrity of this Victorian period semi-detached pair as appreciated from its Architectural Conservation Area streetscape scene. With these historical properties designed to be accessed on-foot from Haddon Road and with the mews lane accommodating other forms of access.

- 7.4.20. Based on the above, I consider that the provision of a second entrance to serve No. 35 Haddon Road is not justified and would not only give rise to loss of built heritage integrity due to the loss of original roadside boundary, it would also have the potential to give rise to the loss of on-street car parking, it would also compromise the natural features in its setting by way of interfering with the root system of an existing street tree but it would also have the potential due to the design and the constraints of the site to give rise to additional conflict between road users. Moreover, the width of the entrance proposed also exceeds that permitted within an ACA setting and would be a type of development that be contrary to encouraging modal shift away from private car use in an area that is in easy reach of public transport with a site area to the rear that has already sufficient space to meet the car parking standards for a dwelling house at this locality. For these reasons the proposed development would be contrary to the proper planning and sustainable development of the area.

7.5. Residential Amenity

- 7.5.1. In relation to No. 35 Haddon Road the occupants of this property already benefit from a vehicle access onto the mews lane to the rear of the site. Whilst I note that the planning history of the site indicates that permission was granted for additions and alterations to the property under P.A. Ref. No. 4306/02 which included alterations to what was described as a mews structure there is no evidence to support that the site benefits from subdivision into two separate planning units.
- 7.5.2. The site itself contains a generous in length and width rear garden area that could support the car parking requirements of occupants to the required standards of the Development Plan for a dwelling of this size, i.e. 2 car parking spaces within the rear garden area and as such existing and future occupants of this dwelling are not reliant on Haddon Roads public domain for on-street car parking unlike a number of other properties along this road that do not benefit from existing access and egress for vehicles to park within their curtilage.

- 7.5.3. I note to the Board that it is the Policy of Dublin City Council to minimise the loss of on-street car parking and, if the proposed development were to be permitted, it would inevitably result in the loss of on-street car parking on Haddon Road. This I consider to be contrary to this Development Plan Policy and local through to national planning provisions as well as guidance that seek modal changes reducing private car dependency.
- 7.5.4. At this location the site is within easy reach of a number transport options and the provision of additional capacity for private car parking that would not be consistent with sustainable transportation direction that planning policy provisions and guidance are seeking to implement as part of achieving more climate resilient development and reductions in carbon footprints.
- 7.5.5. Based on the foregoing I concur with the Planning Authority's traffic related concerns in relation to the proposed development.

7.6. **Appropriate Assessment**

- 7.6.1. Having regard to the location of the site and the nature and scale of the proposed development it is concluded no appropriate assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

- 8.1. I recommend that permission be **refused**.

9.0 **Reasons and Considerations**

1. Having regard to Policy 16.10.18 of the Dublin City Council Development Plan 2016-2022, Sections 6.3 and 7.3.6 of the Haddon Road and Victoria Road Architectural Conservation Area, the proposed vehicular entrance would lead to the erosion of the special character and amenity of the area, which would be contrary to the objectives set out within the Architectural Conservation Area to preserve its special interest and character. The proposed development is

therefore contrary to the proper planning and sustainable development of the area.

2. The development would impact on the existing street tree in front of the property and would seriously injure residential amenities of property in the vicinity. The proposed development is contrary to Section 16.3.3 of the Dublin City Development Plan and the Dublin Tree Strategy which seeks to protect such natural features from loss and harm. The provision of a vehicular entrance as set out in the proposal or so modified as to avoid impact on the existing street tree at this location would be substandard having regard to the minimum entrance width standard of 2500mm. Furthermore, the proposal will lead to the loss of on-street car parking contrary to development plan policy MT14. The development would, therefore, be contrary to the proper planning and sustainable development of the area.

Patricia-Marie Young
Planning Inspector

21st day of September, 2022.