



An  
Bord  
Pleanála

## Inspector's Report

### ABP-313810-22

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| <b>Development</b>                  | Planning permission for a second car access to front garden together with associated site works. |
| <b>Location</b>                     | No. 10 Dunsandle Grove, Castleknock, Dublin 15, D15 X5WP.  |
| <b>Planning Authority</b>           | Fingal County Council.   |
| <b>Planning Authority Reg. Ref.</b> | FW22A/0064.  |
| <b>Applicant(s)</b>                 | John & Alice Eyres.  |
| <b>Type of Application</b>          | Planning Permission.   |
| <b>Planning Authority Decision</b>  | Refuse.  |
| <b>Type of Appeal</b>               | First Party.   |
| <b>Appellant(s)</b>                 | John & Alice Eyres.  |
| <b>Observer(s)</b>                  | None.  |
| <b>Date of Site Inspection</b>      | 5 <sup>th</sup> day of September, 2022.  |
| <b>Inspector</b>                    | Patricia-Marie Young.  |

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## 1.0 Site Location and Description

- 1.1. No. 10 Dunsandle Grove, the appeal site, has a stated 0.043ha site area, on which is a detached red brick two-storey dwelling. It is located on the western side of Dunsandle Grove, a cul-de-sac road accommodated ten detached dwellings and it is located c50m to the south of its junction with Castleknock Green. The site is setback from its roadside boundary by a soft landscaped front garden and contains a driveway running along its southern front side boundary. The hard surfaced area associated with the driveway appears to have the capacity to accommodate two off-street car parking spaces. The roadside boundary consists of a low redbrick wall. Its rear boundary aligns with the eastern side of Pecks Lane in close proximity to where it meets Stockton Grove, in a mature residential area in the Dublin city suburb of Castleknock to the east of Castleknock Village, to the north of Castleknock Road and just over 9km by the road to the west of Dublin's city centre. The surrounding area has a mature residential character.

## 2.0 Proposed Development

- 2.1.1. Planning permission for a second car access to front garden.

## 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 24<sup>th</sup> May, 2022. It reads:

*"1. The proposal of an additional access point on site would increase the risk of conflict with pedestrians and as such would endanger public safety by reason of a traffic hazard. The proposed development is considered contrary to Objective DMS129 of the Fingal County Development\* 2017-2023 and would, therefore, be contrary to the proper planning and sustainable development of the area".*

\* Note: It would appear that the reason for refusal omits in error the word Plan.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

This is the basis of the Planning Authority's decision. It includes the following comments:

- The site has two car parking spaces within its curtilage.
- Reference is made to the Transportation Report and to the fact that they do not support the proposed development.
- Alternative arrangements should be made within the front garden area to accommodate off-street car parking.
- The proposed development is contrary to Development Plan Objective DMS129.
- Concludes with a recommendation of refusal.

#### **3.2.2. Other Technical Reports**

**Transportation:** Report dated the 18<sup>th</sup> day of May, 2022, includes the following comments:

- Dwelling served by two existing car parking spaces.
- It is normally sought to limit the number of access points to serve a single dwelling as limiting the width of the crossover of the footpath reduces the risk of conflict with pedestrians.
- No issue to the widening of the existing access to a maximum of four meters and/or the rearrangement of the front garden to provide better car parking within curtilage.
- The provision of an additional vehicle access is not supported.

### **3.3. Prescribed Bodies**

#### **3.3.1. None.**

### **3.4. Third Party Observations**

#### **3.4.1. None.**

## **4.0 Planning History**

### **4.1. Site and Setting**

- 4.1.1. None relevant.

## **5.0 Policy Context**

### **5.1. Development Plan**

- 5.1.1. The site is governed by the policies and provisions contained in the Fingal County Development Plan, 2017 – 2023. The subject site is zoned ‘RS’ with an objective: “*to provide for residential development and to protect and improve residential amenity*”.
- 5.1.2. Objective DMS127 of the Development Plan is relevant. It sets out that the Planning Authority has a presumption against the removal of on-street car parking spaces to facilitate the provision of vehicular entrances to single dwellings in predominantly residential areas where residents are largely reliant on on-street car parking spaces.
- 5.1.3. Objective DMS129 of the Development Plan is relevant. It sets out that the Planning Authority seeks to promote road safety measures in conjunction with the relevant stakeholders and avoid the creation of traffic hazards.

### **5.2. Natural Heritage Designations**

- 5.2.1. The site is not located within the setting of a designated Natura 2000 site. There are no Natura sites within the immediate or wider setting.

### **5.3. EIA Screening**

- 5.3.1. Having regard to the nature of the development comprising the provision of a second access to serve an existing dwelling together with its associated works, the site’s location in a built-up area zoned for residential development where public water mains and sewerage are available the need for environmental impact assessment can be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

6.1.1. The First Party grounds of appeal can be summarised as follows:

- On foot of renovation works to the property the appellants can no longer fit their second car on their driveway as the passageway to their home becomes too narrow. As a result, they have to park their second car on the public road.
- There have been incidents where cars parked on the road have been damaged by vandals.
- This cul-de-sac road accommodates few vehicles and the risk to pedestrians are low.
- There is currently approval for two car parking spaces in the curtilage.
- There would be 2.5m separation between the nearest street tree and the footpath that it is proposed to dish. At such distance no damage would arise to the nearest street tree.
- The appellants are keen gardens and want to achieve a balance between parking that does not interfere with their current flower bed arrangements.
- No objections have been raised by neighbours to the proposed development.
- It is sought that the permission be granted for the proposed development.

### **6.2. Planning Authority Response**

6.2.1. The Planning Authority's response was received on the 11<sup>th</sup> day of July, 2022, and included the following comments:

- This application was assessed against all relevant planning policy provisions.
- The additional access point would increase the risk of conflict with pedestrians and as such would endanger the public safety by reason of a traffic hazard. For this reason, the proposed development would be contrary to Development Objective DMS129 and in turn the proper planning and sustainable development of the area
- It is excessive to have two vehicular entrances serving the subject site.

- An alternative to consider by the applicant would be the widening of the existing entrance and the rearrangement of the internal space in the front garden in order to achieve better parking on-site.
- The Board is sought to uphold its decision.

### 6.3. Observations

6.3.1. None received.

## 7.0 Assessment

- 7.1. This appeal site is zoned under the Dun Laoghaire Rathdown County Development Plan, 2016-2022, as Objective 'RS' with the states land use objective for lands subject to this zoning is: "*provide for residential development and protect and improve residential amenity*". In addition, the vision for such lands is minimise impact on and enhance existing residential amenity.
- 7.2. By way of this application planning permission is sought for a second vehicle entrance to accommodate the car parking street needs of the occupants of No.s 10 Dunsandle Grove. The appellants contend that recent works carried out to their property has resulted in two cars not being able to park without narrowing the passageway to access their home. They do not wish to remodel the front garden to accommodate additional space accessible from the existing driveway and vehicle entrance on the basis that they are keen gardeners that wish to maintain their front garden arrangement in proximity to the existing driveway as it is. They also contend that vehicles parked on this cul-de-sac have been subject to vandalism in the early hours. No evidence of this has been provided.
- 7.3. It is therefore proposed by the applicants under this application to remove part of the low brick wall on the southern most end of the roadside boundary to accommodate a new vehicle entrance of 3m width, with this 3m width maintained to where it meets the front elevation of the dwelling together with lowering the adjoining pedestrian footpath as well as widening it to the point where it meets the roadside kerb. At this point the drawings indicate the width would be 3.6m with a 2.5m clearance from the trunk of the

nearest street tree. It is contended that the outcome would be no increase in car parking spaces on site to the two permitted within the curtilage of this site.

- 7.4. In relation to this proposed development sought under this application whilst I acknowledge that the principle of residential improvements to existing dwellings is generally acceptable subject to safeguards and whilst I also accept that the subject premises is one of ten detached dwellings on a quiet cul-de-sac in a mature residential area with little movements of vehicles or pedestrians observed during my site inspection. Notwithstanding, I did observe that both sides of Dunsandle Grove is used for overspill on street car parking for what appears to be the existing dwellings on this street.
- 7.5. Further I observed that No. 10 Dunsandle Grove alongside containing a driveway which at the time of site inspection accommodate one car parked thereon also contains a setback garage structure which is accessed from its existing driveway.
- 7.6. I note that Objective DMS127 of the Development Plan seeks a presumption of the removal of on-street car parking spaces to facilitate the provision of vehicle entrances to single dwellings in predominantly residential areas where there is a reliance on such a provision. Whilst there does not appear to be a reliance for the ten detached dwellings accessed off Dunsandle Grove for on-street car parking due to the fact that they are on generous sites with vehicle access and provision for off-street car parking within their curtilage. This cul-de-sac is added to by the fact that many of these dwellings maintain large soft landscaped areas in the setback between the roadside boundary and their front facades.
- 7.7. Against this context the provision of a second access serving one detached dwelling would be at odds with the pattern of development within the site's streetscape setting where I observed the majority of properties are served by one vehicle entrance.
- 7.8. This together with the semi-mature trees that line this street and that are within the vicinity of the site that creates a sylvan character. As such the ability to cater for overspill on the public road which in the case of this cul-de-sac lane is generous in width has the advantage of maintaining greater areas of deep soil and larger areas available for planting which in turn is positive to the biodiversity as well as drainage in this suburban city setting.



- 7.9. I also note that Objective DMS129 of the Development Plan seeks to promote road safety measures and avoid the creation of traffic hazards.
- 7.10. I concur with the Planning Authority's Transportation Planning Officer that there is a general presumption of limiting access points to single dwellings as limiting the width of the crossover of the footpath reduces the risk of conflict with pedestrians and the provision of a second entrance to serve one dwelling despite the location in a cul-de-sac of ten dwellings inevitably increases the potential for risk for pedestrians using the stretch of adjoining footpath.
- 7.11. I also consider that the justification provided for the second vehicle entrance over the alternative of rearranging the internal front garden area to accommodate two vehicle spaces does not outweigh the potential despite the location of the site on a quiet cul-de-sac for the proposed development to give rise to potential conflict particularly with vulnerable road users.
- 7.12. Further such an approach would require less work, would result in less loss of soft landscaping and would be less visually intrusive than the quantum of development sought under this application.
- 7.13. Moreover, as part of local through to national planning policy provisions as well as guidance climate resilient measures seek less reliance on the private car as part of reducing carbon emissions and making suburban environments more pleasant as well as safe for more vulnerable road users.
- 7.14. Of further concern the submitted drawings do not indicate that permeable surfacing would be provided, and I note to the Board that the existing driveway consists of non-permeable surfacing. In addition, the drawings illustrate both the existing and proposed driveway with the same shaded colouring.
- 7.15. Therefore, any grant of permission would in my view need to address the additional surface water issues that would arise from the proposed development as well as the potential issues arising due to the higher topography of the site and the public domain, in particular surface water runoff. If not addressed in poor weather conditions this could give rise to additional road safety hazards for vulnerable road users. However, I am cognisant that this concern could be dealt with by way of an appropriately worded condition.

7.16. Based on the above considerations I concur with the Planning Authority in their given reason for refusal which I have set out in Section 3.1.1 of this report above. I, therefore, recommend that the Board similarly recommend a refusal of planning permission.

## 8.0 Recommendation

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

## 9.0 Reasons and Considerations

The proposal of an additional access point on site would increase the risk of conflict with pedestrians and as such would endanger public safety by reason of a traffic hazard. The proposed development is considered to be contrary to Objective DMS129 of the Fingal County Development Plan, 2017-2023, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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Patricia-Marie Young  
Planning Inspector

21<sup>st</sup> day of September, 2022.