



An
Bord
Pleanála

Inspector's Report

ABP-321854-25

Development	Alterations to previously granted planning permission (reference number D24A/0356) comprising off street car parking space and new vehicular and pedestrian entrance from Woodlands Park..		
Location	51, Woodlands Park, Stillorgan, Co. Dublin, A94mCF25.		
Planning Authority Ref.	D24A/0918.		
Applicant(s)	David & Catherine Burke.		
Type of Application	Permission.	PA Decision	Refuse permission
Type of Appeal	First Party.	Appellant	David & Catherine Burke.
Observer(s)	None on file.		
Date of Site Inspection	08.04.2025.	Inspector	Des Johnson

1. Site Location/ and Description.

1.1 The site is located in Stillorgan, Co. Dublin. It is on the north eastern side of Woodlands Park, a short distance south of its junction with Mount Merrion Avenue.

1.2 The site was previously part of a large rear garden attached to No.51 Woodlands Park. There is a detached dwelling currently under construction on the site.

1.3 There is on-street car parking along this stretch of Woodlands Park on the site side. Not all places were filled at the time of inspection (12.15hrs). There are two vehicular accesses on the opposite side of Woodlands Park opposite the appeal site. There are double yellow lines along the opposite side of Woodlands Park.

2. Proposed development.

2.1 The proposal is for alterations to planning permission granted under reference number D24A/0356 comprising off street car parking space and new vehicular and pedestrian entrance from Woodlands Park.

2.2 The stated site area is 0.024ha.

2.3 The existing wall is to be lowered and a new wall constructed and plastered to match the existing. A sliding gate with pedestrian gate section 1.1m high is proposed. The car parking space proposed is 2.5m wide and has a permeable surface.

3. PA's Decision

3.1 The Planning Authority (Dun Laoghaire-Rathdown Co, Co.) refused permission for 1 reason.

3.2 The reason for refusal states that the proposed development is within an 'Urban Neighbourhood' and would be contrary to SPPR 3 of the Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities which seeks to reduce or wholly eliminate car parking provision, as the Planning Authority is not satisfied that the need for a car parking space at this location has been adequately satisfied.

3.3 The Planner's Report states that there is a partially constructed detached dwelling on the site. The property is in a mature residential area where there are examples of side garden and infill developments. No submissions/observations were received. The site is zoned 'A' with the objective 'to provide residential development and improve residential amenity while protecting the existing residential amenities'. Vehicular and pedestrian entrance may be permitted in principle where it is compatible with the overall policies and objectives for the zoning. Permission has been previously granted for pedestrian and vehicular entrances in the vicinity, but these were assessed under previous Development Plans and Guidelines. The permission granted under Reg Ref: D24A/0356 stipulated that at least one third of the front garden be maintained as grass or landscaped, and that a pedestrian gate be provided in place of the vehicular entrance. An EV charging point is proposed and is acceptable in principle. There would be no significant impact on visual or residential amenity. On-street parking is available in the area, and the

proposed development would result in the loss of 1 space. The site is c.350m from the BusConnects Core Bus Corridor, and c.130m from the BusConnect route on Mount Merrion Avenue. The Planning Authority is not satisfied that the proposed development aligns with national policy objectives. The need for off-street parking in a well-served, accessible location is not justified. The Transportation Planning Report recommends refusal.

4. Planning History.

4.1 **D24A/0356** permission granted for subdivision of the existing site of (0.104 ha) known as 51 Woodlands Park, and the construction of a new two-storey, 3-bedroom detached dwelling of (141 sqm) on a proposed site of 0.024 ha. located to the rear of the existing property, and the provision of new vehicular and pedestrian entrance from Woodlands Park, and all associated site works, landscaping including proposed new connections to public services.

4.2 Condition 2 requires that the proposed vehicular entrance and car parking space shall be omitted from the proposed development and a minimum of one third of the front garden area maintained in grass or landscaped. A 1.2m wide pedestrian entrance shall be provided instead of the vehicular entrance. The reason for this condition is stated to be 'in order to comply with SPRR3 (carparking) of the Compact Guidelines and in the interest of urban greening and SUDS'.

4.3 D23A/0551 Permission granted for development at 50, Woodlands Park which included increasing the width of existing vehicle driveway entrance and creation of new pedestrian entrance.

5.1. Planning Policy

5.1.1 The Sustainable Residential Development and Compact Settlements Guidelines (2024), set national planning policy and guidance. with a focus on sustainable residential development and the creation of compact settlements, and constitute Section 28 Guidelines. Planning Authorities and An Bord Pleanála must have regard to Ministerial Guidelines and must apply any specific planning policy requirements (SPPRs) of the Guidelines.

5.1.2 SPPR 3 refers to car parking. In Urban Neighbourhoods car-parking provision should be minimised, substantially reduced, or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling. Applicants are required to provide a rationale and justification for the number of car parking spaces proposed, and to satisfy the planning authority that the parking levels are necessary and appropriate.

5.1.3 The Dun Laoghaire-Rathdown Development Plan 2022-2028 came into effect on 21st April 2022. The site is zoned 'A' with the objective 'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

5.1.4 Table 12.5 refers to Car Parking Zones and Standards. The standard for a 3-bedroom house in Zone 2 is 2 spaces, but lesser provision may be acceptable.

5.1.5 Section 12.4.5.6. refers to Residential Parking. Car parking proposals will be assessed having regard to their impact on place making as well as providing residents with adequate and safe access to their private vehicle. Any surface carparking should be suitably integrated into the site with soft landscaping proposals and have regard to SuDS

5.2 Natural Heritage Designations

- South Dublin Bay SAC – c. 1.37km to the north east.
- South Dublin Bay and River Tolka Estuary SPA & pNHA – c. 1.4km to the north east.
- Rockabill to Dalkey Island SAC – c. 7.3km to the east.

6. The Appeal

6.1 The grounds of appeal may be summarised as follows:

- The proposal is fully compliant with the provisions of the current Development Plan, and would improve the vitality and amenity of the area. The proposal is justified and in line with the principles of proper planning and sustainable development.
- There are numerous precedents in the area.
- Adequate sight distances are provided. The proposed hard standing area is designed in accordance with SuDS principles. At least one third of the front garden is retained as soft landscaping in compliance with urban greening requirements. The 1st Party is willing to provide a financial contribution in accordance with Development Plan provisions.
- The proposal aligns with Objective T19, which seeks to manage car parking in accordance with strategic transport needs. A balanced approach is adopted. The proposal is entirely consistent with SPPR 3, which does not prohibit car parking but seeks to minimise or substantially reduce it where appropriate.

- The reason for refusal does not adequately consider the policy framework, precedents in the area, or the specific circumstances of the household. It complies with Development Plan standards, which allow for 2 spaces.
- The applicants are employed in roles that require extensive car use, including frequent long-distance travel. Nearby public transport does not meet their needs.
- The removal of a stretch of hardstanding would not negatively impact the overall functionality or availability of on-street parking along Woodlands Park. A photographic survey of existing usage is submitted.
- Multiple developments have been granted with on-site parking since the adoption of the Guidelines. Reference is made to the following: D24A/0041/WEB (45, Grove Lodge, Woodlands Park), D24A/0274 (70, Merville Road), D24A/0453 (Rathmore Avenue), D23A/0282 (Mount Anville Park), and D24A/0008 (Greenfield Road).
- The grounds of appeal attach a letter from Leinster Rugby stating that Rob Burke is employed by them and is required to travel regularly to various locations to fulfil his responsibilities. Also submitted is Drawing B0143-A-300 showing proposed designated parallel car parking spaces relative to the site on Woodlands Park.

6.2 P.A. Response

The Planning Authority is of the view that the grounds of appeal do not raise any new matter to justify a change in the decision.

7. EIA Screening

The provision of 1 off-street car parking space on a permeable surface to serve a single detached dwelling is not of a Class contained in Schedule 5, Parts 1 or 2 of the Planning and Development Regulations 2001, as amended. The requirement for EIA, or screening for EIA does not arise.

8.0 Assessment

8.1 Planning permission was granted under Ref: D24A/0356 at 51, Woodlands Park for the subdivision of the existing site of 0.104ha, and the construction of a new two-storey, 3-bedroom detached dwelling of (141 sqm) on a proposed site of 0.024 ha, and the

provision of new vehicular and pedestrian entrance. Condition 2 of the permission granted requires that the proposed vehicular entrance and car parking space shall be omitted from the proposed development and a minimum of one third of the front garden area maintained in grass or landscaped. The reason for the condition is stated to be 'In order to comply with SPRR3 (carparking) of the Sustainable Residential Development and Compact Guidelines, and in the interest of urban greening and SUDS'.

8.2 The proposal is for alterations to planning permission granted under reference number D24A/0356 comprising off street car parking space and new vehicular and pedestrian entrance from Woodlands Park. This is to seek to overcome the requirements of Condition 2. The existing wall is to be lowered, and a new wall constructed and plastered to match the existing. A sliding gate with pedestrian gate section 1.1m high is proposed. The car parking space proposed is 2.5m wide and has a permeable surface.

8.3 I consider that the key issues to be addressed in this appeal are as follows:

- Policy considerations
- Appropriate Assessment

Policy Considerations

8.4 The Sustainable Residential Development and Compact Settlements Guidelines (2024) (the Guidelines), set national planning policy and guidance. They constitute Section 28 Guidelines, and Planning Authorities and An Bord Pleanála must apply any specific planning policy requirements (SPPRs) of the Guidelines in the consideration of planning applications.

8.5 SPPR 3 of the Guidelines refers to car parking. The subject site is in an Urban Neighbourhood, and in such areas car-parking provision should be minimised, substantially reduced, or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling. Applicants are required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate.

8.6 In the reason for refusal, the Planning Authority states it is not satisfied that the need for the proposed car parking space has been adequately justified. In contending that the proposed car parking space is not adequately justified, the reason for refusal refers to the proximity of the site to the Core Bus Corridor along the N11, and Stillorgan Shopping Centre. The 1st Party contends that the reason for refusal does not adequately consider the policy framework, precedents in the area, or the specific circumstances of the household, and that the proposal complies with Development Plan

standards, which allow for 2 spaces. The grounds of appeal include a letter from the 1st Party's employer stating that he is required to travel regularly to various locations to fulfil his responsibilities.

8.7 There is already on-street parking permitted along the north eastern side of this stretch of Woodlands Park. This does not appear to specifically serve residential property in its immediate vicinity. The proposed development would lead to the removal of one of these spaces and the provision of one car-parking space on-site. Other housing in the vicinity of the site has on-site parking. The proposed on-site space would have a permeable surface and an EV connection. I submit that SPPR 3 does provide for flexibility where appropriate.

8.8 In the specific circumstances outlined, I consider that the proposed development is justified, and not inconsistent with the special planning policy requirement (SPPR 3) of the Guidelines. The proposed vehicular entrance is visually acceptable.

Appropriate Assessment

8.9 I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000, as amended. The subject site is located in an established residential area, separated from designated European sites as detailed in Section 5 of this report. The proposed development consists of one on-site parking space with a permeable surface, and a vehicular and pedestrian entrance. No nature conservation concerns are raised. Having regard to the nature and scale of development, location in an existing residential area, and separation from and absence of connectivity to European sites, it is concluded that 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.

9.Recommendation

I recommend that planning permission be granted.

Reasons & Considerations

Having regard to the nature and scale of the proposal, and the established pattern of development in this mature residential neighbourhood, it is considered that the proposed development, subject to the following conditions, would not be contrary to the Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, would be acceptable in terms of public safety, and would accord with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans, particulars and specifications lodged with the Planning Authority on 18th November 2024, save as may be required by the following conditions.

Reason: In the interest of clarity.

2. Prior to the commencement of development for the on-site car parking space, details of the permeable paving to be provided shall be agreed in writing with the Planning Authority, and the development shall be completed in accordance with the agreed written details.

Reason: In the interest of visual amenity and the proper planning and sustainable development of the area.

3. Disposal of surface water from the development shall be to the requirements of the Planning Authority. No surface water shall be allowed to flow on to the public carriageway.

Reason: In the interest of orderly development.

Des Johnson

Planning Inspector

Date

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

Appendix 1 - Form 1

An Bord Pleanála Case Reference	321854-25		
Proposed Development Summary	Provision of one on-site car parking space serving permitted dwelling		
Development Address	51, Woodlands Park, Stillorgan, Co. Dublin, A94 CF25.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	No
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	No		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	N/A		
No	N/A		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	N/A		
5. Has Schedule 7A information been submitted?			
No	No		

Yes		
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Inspector: _____ Date: _____