



An
Bord
Pleanála

Inspector's Report

ABP 322051-25

Development	A new vehicular entrance driveway to the front onto Clonliffe Road, removal of the existing double doors (4m wide) to the storage shed located to the rear of the property onto the rear access lane, and replacement with of new double doors (1.8m wide), all associated site-works, ancillary drainage and landscaping
Location	147, Clonliffe Road, Dublin 3
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	WEB2728/24
Applicant	Elliot McVann
Type of Application	Permission
Planning Authority Decision	To refuse permission
Type of Appeal	First Party
Appellant	Elliot McVann
Observer	Peter Branagan
Date of Site Inspection	9 th May 2025
Inspector	Trevor Rue

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1.0 Site Location and Description

- 1.1. The application site is on the southern side of Clonliffe Road in Drumcondra, a residential street about 1.8 kilometres to the north of Dublin City Centre. The site has a stated area of 0.026 hectares and comprises a two-storey four-bedroom mid-terrace redbrick dwelling with a shed to the rear. The site frontage is about 5.865 metres long.
- 1.2. There is a pedestrian access to the front of the property. The front garden is laid out as lawn and enclosed by an original decorative railing on a plinth wall base. A public parking bay is located on the road to the front of the dwelling. There is a deciduous street tree in the footway close to the eastern site boundary. An evergreen tree in the front garden of the adjoining property 145 Clonliffe Road overhangs the site.
- 1.3. Vehicular access to the site is via a rear lane accessed from St. Joesph's Avenue, which runs perpendicular to Clonliffe Road. There is a railway embankment on the southern side of the lane, beyond which lies the Gaelic games sports stadium, Croke Park. The Royal Canal runs past the southern boundary of Croke Park. The Clonliffe College site is located about 300 metres to the north of Clonliffe Road.

2.0 Proposed Development

- 2.1. It is proposed to create an inward-opening vehicular entrance 2.8 metres in width to facilitate car parking at the front of the site; it is stated on the application form that two spaces would be provided. This would necessitate the dishing of the kerb by the local authority. The existing pillars and pedestrian gate would be retained, as would two short stretches of the stone plinth and railings. New painted galvanised-steel vehicular gates would be hung to match the detailing of the existing railings.
- 2.2. The existing double doors to the storage shed at the rear of the property, which are 4 metres in width, would be removed and replaced by new doors 1.8 metres wide.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On 17th February 2025, Dublin City Council decided to refuse permission for the following reason:

The proposed new vehicular entrance located at No. 147 Clonliffe Road, in a Z2 Conservation Area, would result in the removal of on-street parking contrary to Policy SMT25, Section 8.5.7 and Appendix 5 Section 4.1 of the Dublin City Development Plan 2022-2028, which aims to manage on-street parking to serve the needs of the city alongside the needs of residents, visitors, businesses, kerbside activity, and accessible parking requirements. The reduced supply of on-street parking would detract from the convenience of road users and the residential amenity of surrounding properties. The development of an insensitively designed vehicular entrance to the front of the property where parking already exists to the rear and where such an entrance would negatively impact on a public street tree would be contrary to Appendix 5 Section 4.3.7 Parking in the Curtilage of Protected Structures, Architectural Conservation Areas and Conservation Areas and the Dublin City Tree Strategy, setting an undesirable precedent for other similar developments in a Z2 conservation area. The development would therefore negatively impact residential amenity in a Z2 area and would be contrary to the proper planning and sustainable development of the residential conservation area.

3.2. Planning Authority Reports

Planning Report

3.2.1. A planning officer's report dated 18th February 2025 provided the reasoning for the authority's decision. The main points were as follows:

- The proposed vehicular entrance to the front of this property in a residential conservation area, where suitable access to the rear already exists (and on-street parking to the front) would result in an unnecessary and undesirable visual intrusion with the loss of front garden area and original boundary.
- The existing historic plinths, decorative railings and pedestrian gate are attractive features which enhance and consolidate the character of this side of Clonliffe Road. The existing front boundaries along the southern side of Clonliffe Road are predominantly pedestrian access gates all of consistent style, except for a number of properties to the west, where vehicular entrances have been created, many without the benefit of planning permission or granted in the context of a Z1 zoning or under an older development plan. The intact

front garden railing boundaries and front gardens are an integral feature of the established streetscape of this section of Clonliffe Road.

- The loss of one on-street car parking space to the front of the dwelling would detract from the convenience of road users and the residential amenity of surrounding properties and set an undesirable precedent.
- The proximity of an existing street tree is also noted and the potential impacts of the proposed entrance and dishing on the tree root zone is not acceptable

Other Technical Reports

3.2.2. The Council's Transportation Planning Division made the following comments:

- Residents on this street rely on on-street parking, albeit in an informal manner or by pay-and-display parking areas. On-street parking on Clonliffe Road also serves businesses as well as visitors. The proposed in-curtilage parking would remove one on-street car-parking space. The loss of an on-street space to accommodate vehicular access for a privately owned vehicle, for a dwelling that already benefits from a rear vehicular access from a laneway, is not justified. It would set an undesirable precedent for similar sites along the street and throughout the city. Notwithstanding that, it is noted that without planning permission dwellings benefit from off-street car parking at this location.
- The width of the proposed vehicular entrance exceeds the maximum width stipulated by the Development Plan and is not acceptable. The entrance would not provide sufficient space between the end of dishing works and the trunk of the existing street tree.

3.2.3. The Council's Engineering Department, Drainage Division had no objection, subject to standard conditions.

3.3. Prescribed Bodies

3.3.1. No comment was received from Uisce Éireann or Irish Rail.

3.4. Third Party Submissions

- 3.4.1. The residents of 159 Clonliffe Road submitted a letter of support for the proposal to the planning authority. They stated that the introduction of paid on-street parking in the area was imminent. While this change may have its benefits, it also presents challenges for residents, particularly families with young children. Expanding opportunities for off-street parking is essential in light of the new parking regulations. Having a designated off-street parking spot would significantly reduce the stress and hassle of finding parking after a long day or when managing children and their belongings on match/concert days in particular. Nos. 157, 155 and 153 Clonliffe Road have a total of 33+ units and potentially up to 50 residents. This density further exacerbates the parking pressure in the area and highlights the need for off-street parking solutions at a time when single-family homes are returning to the road.
- 3.4.2. The resident of 145 Clonliffe Road submitted an objection to the planning authority, the substance of which was repeated in his observations at appeal stage.

4.0 Planning History

- 4.1. The planning officer's report states that there is no relevant recent planning history relating to the application site.
- 4.2. The following planning history relates to the surrounding area:
- **0196/03:** On 12th March 2003, the Council decided to refuse permission for a new vehicular gate entrance at the front of 251 Clonliffe Road. Following an appeal, the Board refused permission, stating that the proposed development would erode and degrade the relatively intact streetscape of cast-iron railings on this side of Clonliffe Road, which would seriously injure the amenities of the area and of property in the vicinity **(202505)**.
 - **6084/03:** On 7th April 2004, the Council refused permission for retention of the driveway/vehicular entrance to the front of 155 Clonliffe Road.
 - **2223/08:** On 26th May 2008, the Council refused permission for off-street parking including re-instating railings, forming new gates and dishing footpath at 239 Clonliffe Road.

- **0149/14:** On 18th August 2014, the Council issued a declaration stating that the use of grounds at Conliffe College as a commercial car park related to events at Croke Park Stadium is not development. The declaration was referred to the Board for review (**29N.RL.3301**). On 22nd January 2015 the Board decided that the intensification of use of the said grounds as a car park on event/match days/nights relating to events and/or matches at Croke Park is development and is not exempted development.
- **2956/14:** On 29th September 2014, the Council granted permission subject to conditions for a new double-gate entrance and parking area to the front of 259 Clonliffe Road.
- **WEB1015/16:** On 14th March 2016, the Council refused permission for a vehicular entrance to the front of 229 Clonliffe Road.
- **1819/24:** On 10th December 2024, the Council granted permission for a new vehicular entrance driveway to the front of 67 Clonliffe Road.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. Map E of the Dublin City Development Plan 2022-2028 shows Nos.115 to 271 Clonliffe Road, including the application site, within Primary Land Use Zoning Category Z2, Residential Neighbourhoods (Conservation Areas). The Z2 zoning objective, set out in Section 14.7.2 of the Plan, is to protect and/or improve the amenities of residential conservation areas. Section 14.7.2 states that residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. It goes on to say that the overall quality in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.

- 5.1.2. Nos. 7 to 113 Clonliffe Road, to the east of St. Joseph's Avenue, are within Zone Z1: Sustainable Residential Neighbourhoods, where the zoning objective is to protect, provide and improve residential amenities.
- 5.1.3. Section 8.5.7 of the Development Plan recognises the need to further control and manage on-street parking across the city. Policy SMT25 is to manage on-street car parking to serve the needs of the city alongside the needs of residents, visitors, businesses, kerbside activity and accessible parking requirements, and to facilitate the re-organisation and loss of spaces to serve sustainable development targets such as in relation to sustainable transport provision, greening initiatives, sustainable urban drainage, access to new developments, or public realm improvements.
- 5.1.4. Section 15.6.10 of the Plan states that where a proposal impacts on trees within the public realm, a revised design will need to be considered to avoid conflicts with street trees. Where a conflict is unavoidable and where a tree, located on-street, requires removal to facilitate a new development or widened vehicular entrance and cannot be conveniently relocated within the public domain, then when agreed by Parks Services and the Planning Department by way of condition to a grant of permission, a financial contribution will be required in lieu.
- 5.1.5. Appendix 5 to the Development Plan sets out technical requirements for transport and mobility. Section 4.1 states that Dublin City Council will preserve available on-street parking, where appropriate. There will be a presumption against the removal of on-street 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. Section 4.3 says proposals for off-street parking in the front gardens of single dwellings in mainly residential areas may not be permitted where residents rely on on-street car parking and there is a strong demand for such parking.
- 5.1.6. Section 4.3.1 of Appendix 5 to the Plan states that where a new entrance on to a public road is proposed, the Council will have regard to the road and footway layout, the impact on on-street parking provision (formal or informal), the traffic conditions on the road and available sightlines. For a single residential dwelling, the vehicular opening proposed shall be at least 2.5 metres or at most 3 metres in width and shall not have outward-opening gates. The basic dimensions to accommodate the footprint of a car within a front garden are 3 metres by 5 metres.

- 5.1.7. Section 4.3.1 of Appendix 5 goes on to say that it is essential that there is also adequate space to allow for manoeuvring and circulation between the front boundary 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 without overhanging onto the public footpath, or where safe access and egress from the proposed parking space cannot be provided, for example on a very busy road, opposite a traffic island or adjacent to a pedestrian crossing or traffic junction or where visibility to and from the proposed access is inadequate.
- 5.1.8. Section 4.3.2 of Appendix 5 states that in all cases, the proposed vehicular entrance shall not interfere with any street trees. Proposals to provide or widen a vehicular entrance that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted in exceptional circumstances, must be mitigated. Where a street tree is located in close proximity to a vehicular entrance, protective measures shall be implemented during construction to safeguard against any damage caused and a financial security (will be) required to cover any damage.
- 5.1.9. Section 4.3.2 goes on to say that the extent of the associated dishing of the footpath and kerb for a vehicular entrance shall not negatively impact on existing street trees and tree root zone. A minimum clearance will be required from the surface of the tree trunk to the proposed edge of the dishing. Figure 1 shows minimum clearances ranging from 1.5 to 3.5 metres depending on the maturity of the tree.
- 5.1.10. Section 4.3.5 of Appendix 5 says there are many different types of (front) boundary treatment in existence. When considering any alterations, minimal interventions are desirable and proposals should aim to be complementary or consistent to others in the area which are of a high standard and in keeping with the overall character and streetscape. All boundary treatment shall take cognisance of the need to provide adequate visibility.
- 5.1.11. Section 4.3.6 of Appendix 5 states that by reducing the paved area to the front garden to a minimum, space can be left for the planting of shrubs and ground cover. The front boundary wall or fence should always be provided with a screen of ornamental small trees or hedging to give visual definition to the extent of the front garden and soften the appearance of the parked car. Importantly, any planting incorporated in the garden must not obscure visibility for drivers when exiting the driveway.

5.1.12. Section 4.3.7 of Appendix 5 deals specifically with parking in the curtilage of Protected Structures, in Architectural Conservation Areas and in Conservation Areas. One of the many criteria it lists is that the remaining soft landscaped area to the front of the structures should generally be in excess of half of the total area of the front garden space, exclusive of car parking area, footpaths and hard surfacing. Another criterion is that the proposed vehicular entrance should, where possible, be combined with the existing pedestrian entrance so as to form an entrance no greater than 2.6 metres and this combined entrance should be no greater than half the total width of the garden at the road boundary.

5.2. Dublin City Tree Strategy

5.2.1. Section 3.3 of the Dublin City Tree Strategy 2016-2020, which has not been updated, deals with development, planning and trees. It includes the following statements:

3.3.1 Dublin City Council will consider the protection of existing trees when granting planning permission for developments and will seek to ensure maximum retention, preservation and management of important trees, groups of trees and hedges. The successful retention of suitable trees is a benchmark of sustainable development.

3.3.2 Where there are trees within an application site, or on land adjacent to it that could influence or be affected by proposed development (including street trees), the planning application must include a detailed submission prepared by a suitably qualified Arboriculturist in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction – Recommendations".

3.3.3 In the design of vehicular entrances, the impact on adjacent trees will need to be considered. Entrances should be located to avoid conflicts with street trees.

3.3.4. Where trees and hedgerows are to be retained, the Council will require a developer to lodge a tree bond to cover any damage caused to them either accidentally or otherwise as a result of non-compliance with agreed / specified on site tree-protection measures.

5.3. Natural Heritage Designations

5.3.1 The application site is not in any Natura 2000 site of European nature conservation importance. The nearest Natura 2000 sites are:

- South Dublin Bay and River Tolka Estuary Special Protection Area (SPA), about 1.4 kilometres to the east, designated for various bird species; and
- North Bull Island SPA, about 4.6 kilometres to the east, also designated for various bird species;
- South Dublin Bay Special Area of Conservation (SAC), about 4 kilometres to the south east, designated for mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud and embryonic shifting dunes; and
- North Dublin Bay SAC, about 4.6 kilometres to the east, designated for tidal mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud, salt meadows, shifting and fixed dunes, dune slacks and petalwort.

5.3.2. Table 10-2 of the Development Plan lists two other sites of international nature conservation importance in Dublin Bay, namely North Bull Island Ramsar Wetland Site; and Sandymount Strand / Tolka Estuary Ramsar Wetland Site. It also lists North Bull Island National Special Amenity Area and North Bull Island National Nature Reserve.

5.3.3. The application site is not in or near any Natural Heritage Area (NHA). The nearest proposed NHA is the Royal Canal, about 300 metres to the south, which supports hedgerow, tall herbs, calcareous grassland, reed fringe, open water, scrub and woodland. There are four other proposed NHAs in the area served by Dublin City Council – North Dublin Bay; South Dublin Bay; Dolphins, Dublin Docks near Pigeon House Harbour; and Grand Canal.

6.0 Environmental Impact Assessment Screening

- 6.1. Please see Appendix 1, pre-screening. The proposed development is not one to which Schedule 5 of the Planning and Development Regulations 2001 applies and therefore the submission of an EIA report and the carrying out of an EIA are not required.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. The grounds of appeal may be summarised as follows:

- The Council has completely disregarded the needs of the appellant and his family as residents. Its consideration of the application was unbalanced. Clonliffe Road is a main road with traffic travelling above the speed limit of 50 kilometres per hour. There are no speed bumps. It is difficult to find a parking space close to the appellant's house. The family is frequently obliged to cross the busy, dangerous road to bring shopping in from the car. The appellant has small children and wishes to continue living in the area in a safe environment.
- The validity of the argument that permitting the proposed vehicular entrance would set an undesirable precedent is questioned. The most relevant comparable houses are 149 to 171 Clonliffe Road. All have two storeys and ample front gardens and 70% have vehicular entrances to allow off-street parking. Several nearby houses (Nos.153, 155 and 157) are densely occupied, which exacerbates the parking problem. Having applied for permission, the appellant feels he is at a disadvantage compared with those who did not do so.
- Visitors to Croke Park previously used Clonliffe College for match-day and event parking but that site is now being redeveloped and there is no alternative available in the area. This has put further pressure on Clonliffe Road. There was already a lot of inconvenience during match days due to access restrictions. Croke Park is now much more used with rugby and American football matches as well as multiple concerts and cultural and religious festivals taking place all year round. Croke Park Conference Centre is also increasingly busy with knock-on demand for parking on Clonliffe Road.

- The laneway and garage to the back of the house are not suitable for parking a family-sized car. The dimensions are very tight and the front of the car has already been damaged once when being reversed into the garage. The lane is closed on many Croke Park match/concert days when staff and equipment are moved between the Hogan and Cusack stands. The appellant is unaware that anyone who has a family car uses the back lane to access parking on a regular basis. The laneway is poorly lit and unsafe due to anti-social behaviour.
- The refusal of his request for off-street parking prohibits him from acquiring an electric vehicle in the future, as he would have nowhere to charge it.
- The proposed works would be in accordance with the Z2 zoning objective. The design of the proposed vehicular entrance respects the historical and architectural significance of the residential conservation area. The materials and style would be in harmony with the existing structures. There would be no loss of visual amenity or historic fabric. The entrance would be integrated sensitively with the retention of re-use of the removed railings. Planning permission was granted permission for a double-gate entrance and parking area to the front of 259 Clonliffe Road.
- The street tree in question is in front of the neighbouring property (145 Clonliffe Road) but to mitigate any concerns, the appellant is willing to move the vehicular entrance to the side of his house bordering No. 149 and to reduce its width to 2.5 metres.

7.2. Planning Authority Response

- 7.2.1. The planning authority requested the Board to uphold its decision. It requested that if permission is granted, a condition be applied requiring the payment of a development contribution pursuant to Section 48 of the Planning and Development Act 2000.

7.3. Observations

- 7.3.1. The observations of the resident of 145 Clonliffe Road may be summarised as follows:
- A grant of approval would represent a major material contravention of the City Development Plan, with all the well-known complications that would entail.

- The only benefit associated with the proposed vehicular entrance is a selfish one – the appellant would be able to reserve a permanently guaranteed parking space to the detriment of other local families. The needs of his family cannot be taken in isolation; all families must be considered. Taking an on-street parking space out of use in order to create a private space for his own personal use would only make the difficulties he describes worse for everyone else.
- 67 Clonliffe Road is in a Z1 zone and not in a Z2 zone. It is at the junction with Clonliffe Avenue and has yellow lines in front of it to prevent parking within 5 metres of the junction. The application seeking permission a new vehicular entrance driveway involved no loss of an on-street parking space. At the time permission was granted for an entrance and parking area to the front of No. 259, the Council had only recently installed yellow lines outside that house.
- None of the 12 houses from 147 to 171 Clonliffe Road has authorised off-street parking. Six (50%) have unauthorised parking spaces. One is said to have permission granted before the Council's online portal came into being but that cannot be verified. No. 155 is the only property for which records exist; planning permission for off-street parking was refused but the railings were butchered anyway. Despite being requested to do so, the Council has not taken action in respect of Nos. 149, 151 and 155. Legitimate precedent may have been a factor in allowing some borderline proposals to sneak through but unauthorised developments should not be regarded as a positive precedents.
- As the appellant has pointed out, Clonliffe Road is extremely busy and dangerous, therefore a safe access and egress cannot be provided as required by the Development Plan. The elder of his two children walks home from school most days. She, at least, has mastered the essential skill of crossing roads without parental assistance. The younger boy is about 10 years old.
- The proposal fails to meet the requirement to landscape at least half the remaining front garden excluding the car footprint (a minimum of 5 metres by 3 metres). It fails to meet the requirement that the combined width of the pedestrian and car entrances should be no greater than half the total width of the garden at the road boundary. It also fails to meet the requirement that for

a screen of ornamental small trees or hedging on the front boundary. That is impossible in this case because the garden is just too small.

- Having butchered the beautiful mature (evergreen) tree whose trunk is in the front garden of 145 Clonliffe Road in order to prepare his site, the appellant now intends to butcher his lovely Victorian railings and granite plinth wall. He argues that he can shove a jeep-type Hyundai Tuscon into a garden measuring about 6 metres by 5.5 metres and it would integrate sensitively. A 2003 Hyundai Tuscon is 1665 millimetres in height, 1865 millimetres in width and 4630 millimetres in length. When a vehicle is *in situ*, it would be impossible to close the gates, so the railings may as well not be re-used.
- Whether the (deciduous) street tree is in front of the appellant's house is not important. What is important is the distance between the tree and the proposed dishing of the footpath. As it is a mature tree (over 30 years old), the required minimum distance clearance is 3.5 metres. The combination of 3.5 metres and the minimum dishing length of 2.5 metres exceeds the length of the property frontage. Consequently, even if the proposed vehicular entrance were located at the western end of the appellant's frontage, it would not be possible to avoid the tree root zone.
- The proposed amended layout would create a serious danger in the event of an emergency such as a fire because a big car in a small garden would block the main escape route for residents and the primary entry route for firefighter and their equipment. Moreover, the owner of No. 149 has been denied his legal right to make representations about the suggested amended proposal, which involves placing a huge vehicle right next to his front door.
- The appellant is prepared to reduce the width of the proposed front entrance to 2.5 metres while at the same time saying he finds it tight to get into a double garage over 4 metres wide. Despite what he claims, the back lane is never closed. Residents have access at all times during Croke Park events; that right is enshrined in Section 21(3) of the Criminal Justice (Public Order) Act 1994. Residents know not to try to move during the 30 minutes before and after games because of the huge pedestrian traffic. Other than at those times, there is never

a problem accessing the back lane from either approach. All the appellant has to do is install automatic roller gates and drive straight in, as some others do.

8.0 Assessment

8.1. Issues

8.1.1. Having inspected the site and considered in detail the documentation on file for this First Party appeal, it seems to me that the main planning issues are:

- whether the loss of an on-street parking space is acceptable; and
- the effect of the proposed development on the character and appearance of the area.

8.2. Loss of On Street Parking Space

8.2.1. Policy SMT25 of the Dublin City Development Plan refers to managing on-street car parking to serve the needs of the city alongside the needs of residents, visitors, businesses, kerbside activity and accessible parking requirements. This formulation recognises the need to strike a balance between competing demands for parking space. Sections 4.1 and 4.3 of Appendix 5 to the Plan articulate a presumption against removing on-street parking spaces to facilitate off-street parking in the front gardens of single dwellings in mainly residential areas where residents rely on on-street car parking and there is a strong demand for such parking. This is an indication that in such circumstances, the needs of the residential community as a whole will normally take priority over the needs of individual households.

8.2.2. Parking areas are marked out on both sides of Clonliffe Road in the vicinity of the application site. The roadway fronting the site is included in a designated parking area. The designated areas omit parts of the roadway where there are vehicular entrances. There is no pay-and-display or residents' parking scheme currently in force. At the time of my site inspection, which took place on a Friday morning, most of the parking areas were occupied but it was possible to find a parking space. The volume and speed of traffic were not excessive and crossing the road was not particularly difficult or dangerous. I have no doubt that parking congestion is greater at other times, especially where matches or events are going on at nearby Croke Park.

It would be fair to characterise this residential area as one where many residents rely on on-street car parking and there is a strong demand for such parking.

- 8.2.3. The appellant has a garage at the back of the house. It is accessed via a laneway which according to the proposed site plan, is 3.855 metres wide. The existing double doors to the garage are 4 metres wide. These are not prohibitively restricted dimensions. The neighbour's evidence suggests that the closure of the lane on match/concert days may be confined to relatively short periods. Should the appellant acquire an electric vehicle in the future, he could install a charging facility in the garage.
- 8.2.4. It seems to me that the proposal for a new vehicular entrance driveway and front-garden parking at the application site runs counter to Development Plan policy. I have not been persuaded that the needs of the appellant and his family are such as to justify making an exception to the policy.
- 8.2.5. In my opinion, the approved vehicular entrances and front-garden parking at 67 and 259 Clonliffe Road are not comparable to the current proposal because they do not involve the loss of designated on-street parking spaces. The incidence of unauthorised entrances in the immediate vicinity of the application site against which it appears no enforcement action has been taken is concerning. However, I do not consider that the existence of these unauthorised developments justifies permitting development that conflicts with current Development Plan policy. A grant of permission for the proposed development would set an undesirable precedent for similar developments, leading to the erosion and ultimate breakdown of the policy.

8.3. Character and Appearance of the Area

- 8.3.1. I noted during my site inspection that the street tree referred to in the planning authority's reason for refusal is located on the footpath slightly to the east of the boundary between 147 and 145 Clonliffe Road. It is in front not of the application site but of the neighbouring property. According to my measurement, the trunk of the tree is located about half a metre on the other side of the forward projection of the property boundary. The dishing area shown on the proposed site plan comes within approximately 1.1 metres of the trunk. Even if the tree were deemed to fall into the medium category in Figure 1 of Appendix 5 to the Development Plan, the required clearance of 2.5 metres would not be provided.

- 8.3.2. The appellant has offered to move the vehicular entrance to the western side of his property frontage and to reduce its width to 2.5 metres. This would necessitate use of the entrance pathway for vehicular movement, an arrangement accepted by the planning authority at 259 Clonliffe Road. While such a revision to the application might overcome concerns expressed about the street tree, it might cause or exacerbate other problems. It might create a degree of danger for occupants and visitors. The appellant has not put forward an amended layout drawing on which local residents and the Council's transportation planners could comment. I consider that in the absence of a precise proposal, it would be unwise to endorse the suggested revision.
- 8.3.3. My site inspection confirmed that the existing historic plinths, decorative railings and pedestrian gate are attractive features of properties on the southern side of Clonliffe Road. It was plain to see that the insertion of vehicular accesses in the vicinity of the application site has damaged the character and appearance of the area. The installation of new vehicular gates which matched the detailing of the existing railings (or re-used the removed railings) would reduce, but not eliminate, the visual harm that the proposed development would cause.
- 8.3.4. The front garden is only 6 metres long. As the proposed plan shows, the gates would overhang the parking area and it would be difficult to close them when a car is parked. The parking area would take up most of the garden. Although the proposed plan shows much of the entrance pathway covered by landscaping, overall there would be little room left for vegetation. The combined width of the vehicular and pedestrian entrances would be 3.65 metres out of a total frontage of 5.865 metres. In contrast to the development which has taken place at No. 259, it would be impossible to provide screen planting at the site frontage to soften the appearance of the parked car without obscuring visibility for exiting drivers.
- 8.3.5. I conclude that the proposed development would have a seriously detrimental effect on the character and appearance of the Clonliffe Road area. It would neither protect nor improve the amenities of the residential conservation area and would therefore conflict with the Z2 zoning objective of the Development Plan.

9.0 Appropriate Assessment Screening

- 9.1. Having considered the nature, location and modest scale of the proposed development, the nature of the receiving environment as a built-up urban area, the absence of emissions therefrom and the distance from the nearest European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

10.0 Recommendation

- 10.1 I recommend to the Board that planning permission be refused.

11.0 Reasons and Considerations

- 11.1. Having regard to Policy SMT25 and Appendix 5, Sections 4.1 and 4.3 of the Dublin City Development Plan 2022-2028, it is considered that the loss of an on-street parking space to accommodate vehicular access for a privately owned vehicle at a dwelling that already has a garage accessed from a rear lane, is not justified; and that it would detract from the convenience of road users and the residential amenity of surrounding properties, setting an undesirable precedent for similar developments in the area and throughout the city.
- 11.2. It is also considered that the development would have a seriously detrimental effect on the character and appearance of the Clonliffe Road area, contrary to the Z2 zoning objective of the Development Plan to protect and/or improve the amenities of residential conservation areas, and contrary to the proper planning and sustainable development of the area.

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.

A handwritten signature in blue ink that reads "Trevor A Rue".

TREVOR A RUE

Planning Inspector

17th May 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	322051-25		
Proposed Development Summary	<i>New vehicular entrance to the front and replacement of double doors to the shed to the rear of the property</i>		
Development Address	147 Clonliffe Road, Dublin 3		
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	✓	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
No	✓		No further action required



TREVOR A RUE

Planning Inspector

17th May 2025