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<b>Development</b>	Protected Structure – the proposed development will consist of: <ul style="list-style-type: none"><li>- Off-street parking and formation of a vehicular access off Palmerstown Road, to include partial removal of the existing front railings and plinth, provision of inward opening vehicular gates, dishing of footpath; and</li><li>- ancillary alterations and landscaping works.</li></ul>		
<b>Location</b>	54 Palmerston Road, Dublin 6, D06 F9P6		
<b>Planning Authority Ref.</b>	3017/25		
<b>Applicant(s)</b>	Andrea Kelly and Kerill O'Shaughnessy		
<b>Type of Application</b>	Permission	<b>PA Decision</b>	Split Decision
<b>Type of Appeal</b>	First Party	<b>Appellant</b>	Andrea Kelly and Kerill O'Shaughnessy
<b>Observer(s)</b>	None		
<b>Date of Site Inspection</b>	22 May 2025	<b>Inspector</b>	Vanessa Langheld

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## **1. Site Location/ and Description**

The site of the proposed development is on the east side of Palmerston Road, and is that of a Victorian two storey over garden level, three bay terraced house with a two storey return at the rear and front and rear gardens. There is a granite staircase with railings to each side leading to the entrance above the garden level. There is cast iron railings on a granite plinth and a pedestrian gate along the site frontage.

The front garden is deep, measuring some 11m from the boundary railings to the house. The front façade of the house is finished in red brick at first and second level and painted render at garden level. The garden level has a separate entrance beneath the granite staircase.

The house has recently been restored and returned from multiple to single family occupation. There are timber sash windows and various other external and internal features intact. An access lane, parallel to and east of Palmerston Road is located along the rear boundary, with a pedestrian entrance to the property. In recent years, the house has been completely refurbished, extended to the rear at ground floor level and a non-habitable garden room has been constructed in the garden.

Palmerston Road is a wide and relatively busy road linking Palmerston Park with Dunville Avenue and Belgrave Road. It is not a bus route. It is characterised by large Victorian Houses, which are terraced, semi-detached and detached. A significant percentage of the houses on the road have frontal vehicular access and parking. There is metered on-street parking on both sides of Palmerston Road. The houses have sizeable front gardens and most have established mature planting. Off-street parking is well established to the front of many of the houses and does not in my opinion detract from the considerable character of the road. The three houses adjoining No. 54 to the north also have no vehicular access / parking to the front, with the corner house having parking to the rear.

The laneway to the rear of this terrace of houses provides rear access to the houses. Some of these have vehicular access and some have built garden rooms and have pedestrian access only, such as the appeal property No. 54 Palmerston Road. The

laneway is relatively narrow and has no footpath and is more suitable for pedestrian access than regular vehicular access.

## 2. Description of the Development

The Application seeks to provide:

- A 3 m wide vehicular entrance to the front of the house from Palmerston Road for the provision of off street parking for the house. The existing railings will be reused in the new inward opening gates.
- The footpath will be dished and there will be a loss of 1 no. on street parking space.
- The parking area will be gravelled, and landscaping will be provided along its boundaries.
- A paved pedestrian route to the granite steps and lower level ground floor entrance to the house, and a new retaining wall to the ground floor level are also proposed.

The width of the railings across the site is 8.36m measured from the application drawings. 5.36m of the exiting railings would not be affected by the proposed development.

No EV charging point is indicated and the drawings do not indicate if the proposed vehicular gate would be electronically controlled.

## 3. Planning History

The planning history considered relevant to this application is listed below:

### Planning History of No. 54 the Appeal Property

**3860/24** – Permission granted by Dublin City Council for a single storey non habitable room and a pedestrian access to the rear of No. 54 Palmerston Road.

**4309/23** – Permission granted by Dublin City Council for the reinstatement of No. 54 to single family occupancy, construction of a single storey extension to the rear, internal reconfigurations and associated refurbishment work, repointing of existing brickwork etc.

Planning History of Some Neighbouring Properties (i.e. those that had a bearing on the determination of the current application for a vehicular access

**2361/21** – Permission granted by Dublin City Council at the rear of No. 45 Palmerston Road for a single storey garage with vehicular access to rear laneway.

**PL29S.248447/ Reg Ref: 3384/16** - permission granted by the Board in 2017 for the reinstatement of the existing two storey mid terrace dwelling, No. 56 Palmerston Road. The Board granted permission for this development with Condition No. 2 omitting the front vehicular entrance and parking. The reason states this is in order to preserve the cast iron railings, plinth and front curtilage and the visual amenities of the area and also so as not to reduce on street parking provision. The Inspector's Report notes that access to the rear could be provided to provide off-street car parking.

**PL29S.248936 / Reg Ref 2876/17**– Permission granted with revised conditions at No. 66 Palmerston Road for the restoration of the house with an extension to the side, rear and return with reconfiguration of front wall, gate and associated ancillary works. This application provided for frontal vehicular access and parking and closing up of side access to Ormonde Road.

**PL29S.316288 / Reg Ref 4439/22** – Permission granted by the Board with amended conditions at 42H Palmerston Road. The appellants sought the removal of a condition (No. 3) which refused the vehicular entrance from Palmerston Road. The Condition was not removed by the Board and their reasoning was as follows:

*'In relation to Condition No. 3, the Board considered that the proposed vehicular entrance at this location would adversely impact on the character and setting of the protected structure on the site and the residential conservation area in which is located by reason of alterations to original boundary railings, amendments of the*

*original front garden layout and relation of the heritage streetlamp (particularly as there may be alternative solutions for on site parking to the rear of the building which could mitigate these impacts on the architectural heritage). The Board was also not satisfied that the trip generation associated with the entrance would not have an adverse impact on the adjacent mature lime tree. In addition, the Board considered that an additional entrance at this location would create a traffic hazard due to restricted site lines to the north.'*

#### **4. National/Regional/Local Planning Policy**

##### **4.1 Dublin City Development Plan, 2022-2028**

The site is zoned Z2 'Residential Neighbourhood (Conservation Area)' in the Dublin City Development Plan, 2022-2028. The objective of this zoning is *'to protect and / or improve the amenities of Residential Conservation Areas'*. No. 54 Palmerston Road is a Protected Structure as listed in the current Development Plan.

As regards on-street parking in the City, the Development Plan states as follows:

##### *'SMT25 On-street parking*

*To manage on-street-car parking to serve the needs of the 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.'*

The Development Plan states *'that there are a number of key issues facing the city in terms of its built heritage and archaeology.*

*An overarching issue is the ongoing need to balance the often competing demands of a modern city in terms of consolidation and future growth with the need to protect its intrinsic character. There is a need to ensure that Dublin City is a real and vibrant city where people live and work and not merely a tourist destination.....'*

Relevant Policy – The Planning Officers Report identifies the following policies and objectives as relevant to firstly the Protected Structure status of No. 54 and secondly to the Conservation Area status of the Palmerston Road.

**Built Heritage and Archaeology** (Chapter 11 of the Development Plan)

Policy BHA2 – Protected Structures

*'Development of Protected Structures*

*That development will conserve and enhance protected structures and their curtilage and will:*

*(a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.*

*(b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*

*(c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.*

*(d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.*

*(c) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.*

*(d) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.*

*(e) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.*

*(f) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.*

*(g) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.*

*(h) Have regard to ecological considerations for example, protection of species such as bats.*

*(Underlining is my emphasis.)*

#### BHA 9 Conservation Areas

*'To protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.*

*Enhancement opportunities may include:*

- 1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.*
- 2. Re-instatement of missing architectural detail or important features.*
- 3. Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns.*
- 4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.*

5. *The repair and retention of shop and pub fronts of architectural interest.*
6. *Retention of buildings and features that contribute to the overall character and integrity of the Conservation Area.*
7. *The return of buildings to residential use.*

*Changes of use will be acceptable where in compliance with the zoning objectives and where they make a positive contribution to the character, function and appearance of the Conservation Area and its setting. The Council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications, and will promote compatible uses which ensure future long-term viability.'*

The key issues arising from a review of the two policies above are that they do not preclude such development as is proposed in the current application / appeal in principle but highlight the importance of adherence to given detail in light of the Protected Structure status of the building.

### **Development Standards** (Chapter 15)

#### *'15.15.2.2 Conservation Areas*

*Conservation Areas include Z8 (Georgian Conservation Area) and Z2 (Residential Conservation Area) zones, as well as areas identified in a red hatching on the zoning maps which form part of the development plan. These red-hatch areas do not have a specific statutory protection but contain areas of extensive groupings of buildings, streetscapes, features such as rivers and canals and associated open spaces of historic merit which all add to the special historic character of the city.*

*All planning applications for development in Conservation Areas shall:*

- ♣ Respect the existing setting and character of the surrounding area.*

- ♣ *Be cognisant and / or complementary to the existing scale, building height and massing of the surrounding context.*
- ♣ *Protect the amenities of the surrounding properties and spaces.*
- ♣ *Provide for an assessment of the visual impact of the development in the surrounding context.*
- ♣ *Ensure materials and finishes are in keeping with the existing built environment.*
- ♣ *Positively contribute to the existing streetscape and retain historic trees also as these all add to the special character of an ACA, where they exist.*

In my opinion, the development proposed is in accordance with those six criteria.

Further guidance on Conservation Areas is set out in Chapter 11 Section 11.5.2  
15.15.2.3

#### *Protected Structures*

*There are almost 8,500 protected structures in the city, as identified on the Record of Protected Structures, Volume 4 of the plan. The inclusion of a structure in the Record of Protected Structures does not prevent a change of use of the structure, and/or development of, and/or extension to the structure, provided that the impact of any proposed development does not adversely affect the character of the Protected Structure and its setting.*

*Conservation is the careful and sensitive management of change and DCC would support new proposals to conserve, repair and adapt Protected Structures to ensure they stay in long term sustainable use.*

*Any works which materially affect the character of a Protected Structure require planning permission. Some works may be considered exempted development where they do not materially affect the character of the building or those elements of the structure that contribute to its special interest.....'*

**Parking in the curtilage of a Protected Structure, Architectural Conservation Area and Conservation Areas** (Appendices, Section 4.3.7)

*'In accordance with Section 13.4.3 of the Architectural Heritage Protection Guidelines 2011, "proposals to remove or alter boundary features could adversely affect the character of the Protected Structure and the designed landscape around it. Widening an entrance or altering railings will alter the scale and visual impact of the gate and gate piers. Relocating a gateway may destroy a carefully designed relationship between the entrance and the main building."*

*Features including boundary walls, railings and gardens make an important contribution to the character and setting of protected structures, ACAs and conservation areas. Therefore poorly designed parking within the curtilage and front gardens of protected structures and in conservation areas can have a negative impact on the special interest and character of these sensitive buildings and areas. For this reason, proposals for parking within the curtilage and 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 lead to the erosion of the character and amenity of the area and where the historic plinths, decorative railings and gates, historic gate piers, and historic ground surfaces are still intact.'*

In this case, I consider the deep frontal gardens to be of relevance in terms of the potential for visual integration.

*'Where site conditions exist which can accommodate car parking provision without significant loss of visual amenity and/or historic fabric, proposals for limited off-street parking will be considered where the following criteria can be met:*

*♣ A high standard of design and layout will be expected to integrate the proposal into the sensitive context, the use of natural materials that would complement the special character of the Protected Structure i.e. gravels, granite etc.*

- ♣ *The retention of most of the original boundary wall and/or railings and plinth wall and the re-use of the removed railings for new access gates will be sought;*
- ♣ *The outlook of rooms with regard to light, including basement rooms, should not be obstructed;*
- ♣ *Works which would involve the loss of mature and specimen trees (those in good condition) which contribute to the character of a protected structure or conservation area, both within the private and public domain, will be discouraged;*
- ♣ *High quality appropriate surface treatment, which should be influenced by the surrounding context and buildings, will be sought, particularly traditional materials such as gravel or other permeable materials. Bituminous or concrete surfacing are not acceptable;*
- ♣ *Every reasonable effort is made to protect the integrity of the protected structure and/or conservation area;*
- ♣ *There is sufficient depth available in the garden to accommodate a private parked car;*
- ♣ *Access to and egress from the proposed parking space will not give rise to a traffic hazard;*
- ♣ *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. SuDS features should be incorporated as appropriate (see also Appendix 12);*
- ♣ *Car parking shall be designed so that it is set-back from the house and front boundary wall to avoid excessive impact on the protected structure;*
- ♣ *Car parking bays shall be no greater than 5 m x 3 m metres wide;*
- ♣ *The proposed vehicular entrance should, where possible, be combined with the existing pedestrian entrance so as to form an entrance no greater than 2.6m and this combined entrance should be no greater than half the total width of the garden at the road boundary. The gates shall not swing outwards so as to cause an obstruction on the public footpath;*
- ♣ *Where cast or wrought iron or other historic railings exist and historic brick and stone boundary walls, which contribute to the special character of the structure, every effort will be made to preserve and to maintain the maximum amount of*

original form and construction through minimum intervention. Any original existing gates, piers and cast iron or other railings that require alterations shall be reused and integrated with all new parking proposal. The use of automatic gates will be discouraged as the mechanisms required to operate them could have a significant impact on the legibility of the historic gates.

♣ Special regard shall be given to circumstances where on-street parking facilities are restricted as a consequence of the introduction of bus priority measures or other traffic management changes. In such situations, every reasonable effort will be made to facilitate proposals for off-street parking in the front gardens of protected structures and in conservation areas subject to the above criteria being met.

(Underlining is my emphasis.)

*Electric Vehicles (EV) (Appendices Section 5.0)*

*In accordance with Policy SMT29, EV charging stations on public and private land will be supported in this Plan.*

*All new developments must be futureproofed to include EV charging points and infrastructure.....'*

*On Street Parking (Appendices Section 4.1)*

*Public on-street parking is a necessary facility for shoppers and business premises and is necessary for the day-to-day functioning of the city. Dublin City Council will preserve available on-street parking, where appropriate. However, the space currently occupied by on-street parking may be needed in the future for strategic transportation projects or active travel infrastructure.'*

The following extract relates to the removal of on-street parking where there is residential reliance on-street parking and there is demand relating to other uses. This is not considered to be case on Palmerston Road.

*'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 or where there is a demand for public parking serving other uses in the area. Where new residential developments result in the removal of on-street parking spaces or where no parking is provided for new residential developments, residents of these dwellings will not automatically be entitled to a parking permit. In this instance, the issuing of a parking permit will be based on the current capacity of the permit parking scheme in question.*

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#### *Parking in Front Gardens (Appendices Section 4.3)*

*Planning Permission is required for the alteration of a front garden in order to provide car parking by creating a new access, or by widening of an existing access. 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.'*

In this instance the proposal removes an on-street place but replaces it with two off street spaces as required by the resident family so there will be no overall loss.

### **5. Natural Heritage Designations**

The appeal site is not located within or adjoining any designated site. The nearest European Sites and Natural Heritage Areas in close proximity to the appeal site are as follows:

- South Dublin Bay SAC and NHA – c. 3.4 km to the east.
- South Dublin Bay and River Tolka SPA – c.3.4 km to the east.

### **6. Dublin City Council Decision**

A split decision was issued on the 11<sup>th</sup> March 2025 as follows:

Permission was granted for the pedestrian entrance paving and the retaining wall and paving to lower patio at ground floor entrance level subject to standard type conditions.

Permission was refused for the off street parking and vehicular entrance on the basis that the pay-and-display parking would be removed which is contrary to policy SMT25 and Section 8.5.7 which aims to manage on street parking needs of the city alongside needs of residents, visitors, business, kerbside activity and accessible parking requirements.

## **6.1 Other Internal Reports**

### Conservation Officer's Report

The COR states that the submitted application drawings do not contain adequate information as it pertains to a Protected Structure and there is minimal information of the proposed works, methodology and photographic information on the existing boundary railings and front garden.

The proportion of the existing wrought iron railing and gate is significant and enhances the special architectural character of the front of the Protected Structure and the historic streetscape. The new gates will alter the appearance of the original boundary wall which will result in loss of character as well as loss of historic fabric.

The removal of the front railings alters the original setting and is therefore considered contrary to the Development Plan policy to conserve and enhance Protected Structures. It is also considered to be contrary to the Architectural Heritage Protection Guidelines, 2011 which states that the widening of an entrance or altering railings will alter the scale and visual impact of the gate and gate piers and may destroy a carefully designed relationship between the entrance and the main building.

The proposed width of 3m is also considered excessive and should not be greater than 2.6m if permitted. This is the standard set out in the Development Plan for vehicular entrances in conservation areas.

The Conservation Officer therefore recommends refusal for the proposed entrance because of the loss of original character and setting. Conditions relating to the paved areas are also recommended.

#### Transportation Planning Report

Appendix 5 of the current Development Plan states that where a new entrance is proposed on to a public road in areas of high parking demand resulting in the removal of on-street parking it will generally not be approved. The width at 3m also exceeds the Development Plan standards for vehicular entrances in Conservation Areas. Therefore, refusal of permission is recommended.

### **7. First Party Appeal**

The appeal is submitted by the Applicant's Agents, Wilson Architects. The grounds of appeal may be summarised as follows:

- Off street parking is required for the safety of the young family living in the house (a family with four young children).
- The proposal would result in the loss of only on-street space where two are currently required for the family therefore reducing the overall demand for on street car parking. (The family's two cars could be parked in the driveway of the house)
- 80 percent of the houses on Palmerston Road have off-street parking / vehicular access.
- The houses and gardens on Palmerston Road are larger than those on surrounding roads and can adequately accommodate off street parking.

- The refusal reason implies that there is a demand for off-street parking on Palmerston Road for commuter and other parking. This is not the case. The road is mainly used by residents, their visitors and trade vehicles working on the houses.
- The proposed development will considerably improve the state of repair of the existing railings.
- The Applicants would combine the vehicular and pedestrian access if this was considered necessary, which would reduce the impact on the existing railings.
- The Applicants cannot currently charge their electric car without off-street parking and cannot change their second car to an electric vehicle which is contrary to the Dublin Local Authority Electric Vehicle Charging Strategy published in June 2022.

Photographs of vehicular accesses and off street parking along Palmerston Road are attached.

### **7.1 Planning Authority Response**

Dublin City Council have asked the Board to uphold their split decision and if not to attach a Section 48 Development Contribution.

### **7.2 Observations**

None

## **8.0 EIA Screening**

See Form 1 appended to this Report. The proposed development therefore does not require screening for EIA.

## **9.0 AA Screening**

I have considered the proposed development in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. The subject site is located c.3.5 km west of South Dublin Bay SAC site code (000210) and west of South Dublin Bay and River Tolka Estuary SPA (site code 004024). The proposed development comprises the construction of a new vehicular access and for works to the front garden. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- The absence of any external impacts.
- The distance to European sites and the lack of any direct pathway to same.
- Taking into account the screening determination by the Planning Authority.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

## **10. Assessment**

This appeal relates to the removal of a railing and plinth to provide a 3m wide vehicular entrance to the front of the terraced three storey Protected Structure, No. 54 Palmerston Road. The railings will be reused in the inward opening gates which are proposed to replace the railings. The application also provides for the paving of the pedestrian path to the granite steps and for the paving and the construction of a

retaining wall to the front of the ground floor entrance. The two elements of the proposed development are considered below:

Acceptability of the paved pedestrian path, retaining wall and paving to patio at ground floor entrance.

The Planning Officer considers the paving of the path and patio area to the front of the ground floor entrance and the construction of the retaining wall to be acceptable. I agree with this assessment, and I am satisfied that this element of the development is acceptable and in accordance with the proper planning and development of the area.

Acceptability of the vehicular entrance and off-street car parking

The second issue for consideration in this appeal is that of the proposed 3m wide vehicular entrance gate and the concomitant provision of off-street parking to serve the property. This element of the application requires the removal of part of the historic railings and plinth and the provision of a new inward opening gate, which will be constructed using the existing railings. It will also require the removal of the grassed front garden and its replacement with a gravelled parking area and the removal of 1 no. existing on street parking space on Palmerston Road in front of No. 54, the appeal property.

I note that one car space is shown parked on the submitted application drawings; however it would appear that there would be space for up to two cars and the Applicants' Agent refers to the parking of both Applicants' cars within the curtilage of the property if planning permission is granted. I note also that the Applicants' Agent refers to EV charging, but no charge point is shown on the drawings.

The Planning Authority's single refusal reason relates to the vehicular access / concomitant loss of one on-street parking space as being in contravention of the 2022-2028 Development Plan policy regarding the provision of off-street parking in the City. There is no reference to the Protected Structure status of the building and the character of the area in the single refusal reason. However, I consider this issue relevant as it is cited in a number of other applications and appeals relating to

development of houses on Palmerston Road. Considering the Architectural Heritage Guidelines, 2011, and the Dublin City Development Plan, 2022-2028, both offer arguments for and against the proposed development. Due regard is given to both below, together with the issue of precedents.

It has also been raised by the Dublin City Council Conservation Officer in her Report on the current application / appeal. I will therefore consider it as part of my assessment of this appeal.

The two issues raised above are considered below.

#### 10.1 The loss of one on-street parking space arising from the provision of off-street parking for No. 54 Palmerston Road

One on-street parking space will be removed and one / two parking spaces for the house will be provided. Therefore, the proposed development will replace and possibly increase the parking provision for area. Many houses on Palmerston Road have their own parking. Those houses that don't have parking, likely require more than one space given the substantial size of the houses. The road has meter parking, which mitigates against its use for commuter parking and most of the on-street parking would appear to be used by residents and their visitors. This is noted by the Applicants' Agent in the appeal documentation where it is stated that demand for on-street parking other than for residents is insignificant. I note that on the day of the site visit (a mid week morning) there was considerable vacant on-street parking. I do not therefore agree with the Dublin City Council Planning Officer that the loss of one space would affect the overall supply of on-street parking in any significant way at this location.

The Applicants' Agent has stated that the applicants have two vehicles, one of which is an EV vehicle, which they cannot charge at home. The provision of off-street parking would allow the Applicants to charge their EV vehicle at home and therefore be in accordance with Development Plan policy to provide charging points with the curtilage of individual properties. Residents on Palmerston Road can obtain a resident parking permit to park their car(s) on the street and in theory a car could therefore be parked

there permanently once taxed which would also result in the loss of an off-street parking place.

On the above basis I do not consider that the Planning Authority's Refusal of the vehicular access on the basis of loss of on street parking necessary at this particular location.

#### 10.2 The removal of the original wrought iron railings and the effect on the Protected Structure, No. 54 Palmerston Road, and on the character of the area generally

I have reviewed a number of historical and current planning applications and appeals on Palmerston Road which include the provision of vehicular access. There are a number where permission has been granted, but also a number where permission was refused on the basis of the Protected Structure status of the houses and the Conservation Area status of the Road.

In terms of a common thread or distinction, Palmerston Road is a well-established road characterised by large Victorian Houses many of which many have vehicular entrances and off-street parking in their front gardens. The site is zoned Z2 Residential Neighbourhood (Conservation Area) in the current 2022-2028 Dublin City Development Plan which aims to '*protect and / or improve the amenities of Residential Conservation Areas*'. In my opinion, the proposal to provide off-street parking is consistent with the character of the road. Most of the houses, in particular those that have been restored and reinstated to single family occupancy, have vehicular access and parking to the front.

I note from my site visit that the quality of front garden parking and landscaping is, in general, extremely high. Most houses have integrated front parking with significant landscaping, and the distinctive character of the houses and road remains evident despite alterations. The houses on Palmerston Road are large family homes with many having parking to the front for up to 3 no. cars. Provision of vehicular access requires the removal of one on-street parking space. I walked the length of Palmerston

Road from Palmerston Park to Belgrave Road and estimate that 70/80 percent of houses have off-street parking.

I consider that this is an established pattern along Palmerston Road and is unique to this road, where the large houses have ample front gardens that allow for off-street parking while preserving substantial planted areas. The impact of the insertion of parking is therefore lessened than is the case on other roads within Conservation Areas or where there are many Protected Structures.

I note that the original design of the houses included access in laneways to the rear of the houses. This was at a time when car ownership was largely non-existent. Following on from this time many families left the city centre for the suburbs and Palmerston Road became a road with many houses subdivided into flats. More recently and as the city has again become a desirable place for families to live and many of the houses have been restored and reinstated for single family occupancy.

There are now many young families living on Palmerston Road. It is, however, a relatively wide and busy road, and the Applicants' contend that as the parents of four young children it is dangerous for them to park on the road and difficult to bring their children into their home safely. I would agree that this may be problematic and that off-street parking would be preferable.

I note that the Applicants' have constructed a garden room to the rear of their property with a pedestrian access to the rear. In doing this, the possibility of providing vehicular access to the rear no longer exists. In my opinion, however, given the narrowness of the back lane and the lack of footpaths etc. this would not have been a suitable option for regular access / parking as is now required by the applicant family. It therefore makes sense for this house to have frontal parking for use by the resident family as is the case in many of the other houses along this road.

I walked around the area and viewed the adjoining roads, Ormonde Road, Belgrave Avenue and Windsor Road. These roads all have on-street parking and little or no off-street parking / vehicular access to front gardens. These are however quite different from Palmerston Road in that they are considerably quieter from a traffic perspective,

in particular Windsor Road and Ormond Road. They also have considerably shorter front gardens which would not lend themselves to frontal parking without affecting the character of the houses to the same extent as Palmerston Road does.

The Applicants have reinstated No.54 to use as a single home and have completely upgraded and refurbished it to what would appear to be a very high standard. They intend to restore the frontal railings for use in the new vehicular gates. Planting is proposed along all boundaries and will go some way to screening the parking from the street, and to screen it internally from the front rooms of the house.

I have considered the factors that both support and counter the case for the provision of the off-street parking both in terms of the National Architectural Heritage Guidelines and the Dublin City Development Plan, 2022-2022 and consider that both these documents facilitate such development subject to appropriate conditions. The proposed vehicular access and off street parking comes in the context of the restoration of this important Protected Structure and its reinstatement as a single occupancy family home. The character of Palmerston Road is one of large family houses with large well planted front gardens and I consider that the insertion of off-street parking in tandem with landscaping will not detract from the character of the Protected Structure, No.54 Palmerston Road and / or the character of the historic streetscape. I note that the 2022-2028 Development Plan specifies that vehicular entrances to Protected Structures should be a maximum width of 2.6m. I note also that a requirement that the 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. I consider that these standards could be met by way of a Condition attaching to a permission.

## **11.0 Recommendation**

I recommend that planning permission be granted.

## **12. Reasons and Considerations**

It is considered that subject to compliance with the conditions set out below the proposed development is compatible with the 2022-2028 Dublin City Centre Development Plan Z2 'Residential Neighbourhood (Conservation Area) Zoning and would be generally acceptable in terms of the Protected Structure status of the house and the character of the area. The proposed development would, therefore, be in accordance 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 and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

- 2 The new vehicular access shall be a maximum of 2.6m wide and the soft landscaped area to the front of the structures should be a minimum of half of the total area of the front garden space, exclusive of car parking area, footpaths and hard surfacing. Prior to the commencement of development, the applicant

shall submit and agree with the Planning Authority plans showing these requirements. The location of an EV charging point should also be shown on the submitted drawings along with clarification as to whether or not inward opening gates shall be electronically operated or not.

**Reason:** In order to protect the historic character of the original building and the visual amenities and character of the historic streetscape.

3. All works shall be carried out under the supervision of a qualified professional with specialised conservation expertise to ensure adequate protection of the retained and historic fabric during the works.

**Reason:** To ensure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

4. The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** In the interest of public health.

5. Site development and building works shall be carried out between the hours of 07.00 hours to 19.00 hours Mondays to Fridays inclusive, between 08.00 hours to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

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.

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Vanessa Langheld

Planning Inspector

11 June 2025

• **Appendix 1 - Form 1 EIA Pre-Screening**

<b>An Bord Pleanála Case Reference</b>	ABP 322214-25		
<b>Proposed Development Summary</b>	Protected Structure – new vehicular access and off street parking and ancillary alterations and landscaping.		
<b>Development Address</b>	54 Palmerston Road, Dublin 6, D06F9P6		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>	<b>Yes</b>		X
	<b>No</b>		
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			Proceed to Q3.
<b>No</b>	X		No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>		State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>		State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)
<b>5. Has Schedule 7A information been submitted?</b>			
<b>No</b>	X	<b>Screening determination remains as above (Q1 to Q4)</b>	
<b>Yes</b>		<b>Screening Determination required</b>	

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_