



An
Bord
Pleanála

Inspector's Report

ABP 322263-25

Development	Vehicular entrance.
Location	62 Crannagh Park, Rathfarnham, Dublin 14.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD25B/0020W.
Applicants	Desmond and Sandra Brady.
Type of Application	Permission.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party
Appellants	Desmond and Sandra Brady.
Observers	None.
Date of Site Inspection	27 May 2025.
Inspector	B. Wyse

1.0 Site Location and Description

- 1.1. No.62 Crannagh Park is a semi-detached house on a corner site in this well established suburban location. The house features large gardens to the side and rear. The garden is generally enclosed by rendered block walls, rising to approximately 2m in height along the side/rear of the property.
- 1.2. There is a very similar entrance to that proposed immediately adjacent to the south, serving No. 37 Crannagh Park.

2.0 Proposed Development

- 2.1. The proposed development is a new vehicular entrance to the rear, designed to service a garage/boat house associated with a new house in the side garden for which planning permission was granted in May 2024 (PA Ref. SD24A/0020) – see Section 4.0 below.
- 2.2. The entrance would be 2.5m in width. The gates would be 2m high and flush with the wall and open inwards. Materials are not specified but it appears from the drawings that the gates would be of solid construction. As it is intended that the entrance would only be used occasionally, to provide access to the shed/boathouse for the applicants boat, it is proposed that there will be no need to dish the kerb or interfere with the grass verge, as is the case with the entrance immediately adjacent.
- 2.3. It is noted that the application to the planning authority was lodged on 21 January 2025 and that updated site location and site layout plans were submitted as unsolicited additional information on 27 January 2025. The latter simply handed the plans (to a north-south orientation) and did not involve any substantive changes.

3.0 Planning Authority Decision

3.1. Decision

To refuse permission for the following reason:

Having regard to the provisions of the South Dublin County Development Plan 2022-2028 and the overall nature and design of the development, it is considered that the

proposed vehicular entrance would set an undesirable precedent for similar development and would lead to obstructions for footpath users and is therefore not in accordance with the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

Basis for decision. Includes:

- The applicant has sought to overcome the issues raised in the previous application (PA Ref. SD24A/0020) by noting in their cover letter that the footpath would not be dished and that the existing grass margins would remain intact under this proposal. However, concerns are still raised by the Roads Department that the secondary vehicular access on site would set an undesirable precedent leading to the obstruction for footpath users. The extant permission for a vehicular access to the front of the site and the height of the boundary wall at the proposed access point is noted in this respect.
- The proposal would provide for a second vehicular access point to the site whilst also maintaining the permitted vehicular access to the front, thereby resulting in an increase of vehicular accesses to the site. It is further noted by the applicant that the proposed access will be used occasionally and they request a condition noting the same. A condition for the occasional use of the entrance is considered to not be enforceable and would set an undesirable precedent.
- No requirement for appropriate assessment or environmental impact assessment.

3.2.2. Other Technical Reports

Roads Department. Includes:

- Refusal recommended on basis that the new vehicular entrance would set an undesirable precedent leading to obstructions for footpath users.

3.3. Prescribed Bodies

None relevant.

3.4. Third Party Observations

None.

4.0 Planning History

PA Ref. SD24A/0020

This is the existing permission for a new detached house in the side garden of No. 62. No development to date. The development includes a garage/boat house to the rear. A proposed rear vehicular entrance to service this was omitted by Condition 2(d) of the permission. The condition reads as follows:

2. Amendments

Prior to the commencement of the development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority (Roads Department);

Revised plans that incorporate all the following amendments-

(d) The rear vehicular access proposed omitted from the development.

Reason: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. Development Plan

South Dublin County Development Plan 2022-2028

Zoning RES: *To protect and/or improve residential amenity.*

Section 7.10.2

SM7 Objective 10:

To ensure that parking provision, including the provision of EV charging facilities, does not detract from the comfort and safety of pedestrians and

cyclists, visual amenity or the character of an area.

Section 12.7.6

Proposals to widen driveways to accommodate in-curtilage parking will be considered having regard to the following:

- A width of 3.5m between gate pillars shall not normally be exceeded. This is for reasons of pedestrian safety and visual amenity and to retain on-street parking spaces;*
- Proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted must be mitigated.*

5.2. Natural Heritage Designations

None relevant.

5.3. EIA Screening

- 5.4. The proposed development is not one to which Schedule 5 of the Planning and Development Regulations, 2001, as amended, applies and therefore, the requirement for EIA screening does not arise. See Appendix 1, Form 1.

6.0 The Appeal

6.1. Grounds of Appeal

The main grounds of appeal can be summarised as follows:

- The proposed vehicular entrance aligns with the established pattern of development in the area whereby many nearby properties feature similar entrances. Multiple precedents exist granted by the same planning authority, neighbouring authorities and An Bord Pleanála.
- The proposal adheres to the guidance outline in Section 12.7.6 of the development plan which permits vehicle entrances up to 3.5m in width.
- Crannagh Park is a road with very little traffic and is a low speed environment. There are adequate sightlines and existing foot and vehicular traffic will not be impacted.

- The applicants are prepared to dish the curb at their own expense and to the requirements of the Councils Road Maintenance Department if required by the Board. However, due to the nature of the proposed use, it is not considered that this should be necessary. The kerb has not been dishd at the adjacent entrance to No.37 Crannagh Park.
- The entrance will only be used a couple of times per year to facilitate the storage of a boat during winter and for maintenance/repair.

6.2. Planning Authority Response

Confirms decision.

6.3. Observations

None.

7.0 Assessment

- 7.1. The main issues in this appeal are those raised in the planning authority reason for refusal and the grounds of appeal and I am satisfied that no other substantive issues arise.
- 7.2. The rationale underlying the planning authority reason for refusal relates to concerns about interfering with pedestrians and precedent. I agree with the appellants case in relation to both matters.
- 7.3. In terms of interference or obstruction to pedestrians it is inconceivable, in my view, that the proposed entrance could have any significant effects. In urban areas pedestrians encounter such situations all the time. In Crannagh Park there are vehicular entrances to the fronts of all the houses which pedestrians must pass as a matter of routine. There is an identical entrance to the one proposed immediately adjacent at No. 37. The height of the boundary walls adjacent the proposed entrance, as referred to in the planning authority planners report, is not particularly unusual. Such arrangements are common in urban areas. All that is required is normal behaviour, due care and attention on the part of both pedestrians and drivers, to ensure no adverse consequences for anybody. Additionally, and as pointed out by

the appellants, the levels of vehicular and pedestrian traffic are very low in this low density suburban area.

- 7.4. In this context the fact that the proposal would provide for a second vehicular access to the property, as referenced in the planning authority planners report, is of no consequence in planning terms either.
- 7.5. While the proposed low level of use of the entrance has been emphasised by the applicants, even a greater frequency of use would not, in my opinion, give rise to any concerns. In this connection, I consider that it would be more satisfactory to dish the kerb. However, given the terms of the application as outlined, this is a matter better left to be worked out between the applicants and the County Council.
- 7.6. In relation to the issue of precedent this is not, in my view, of any relevance. As the Board is aware all applications are dealt with on their merits. If any precedent value was to be drawn from a grant of permission in this case it would simply be a favourable one suggesting support for reasonable proposals to provide convenient and safe entrances to residential or other properties.
- 7.7. I conclude that the appeal should be upheld.

8.0 Appropriate Assessment Screening

- 8.1. The proposed development comprises a domestic vehicular entrance in an established suburban area.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, small scale and location of the project, and taking account of the screening determination of the planning authority, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.

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. Appropriate Assessment, therefore, is not required.

9.0 Recommendation

9.1. I recommend that permission be granted subject to conditions.

10.0 Reasons and Considerations

10.1. It is considered, subject to compliance with the following condition, that the proposed vehicular entrance would not give rise to obstruction to pedestrians or create a traffic hazard. The proposed development, therefore, would be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application.</p> <p>Reason: In the interest of clarity.</p>
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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.

B. Wyse
Planning Inspector

9 June 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	322263-25		
Proposed Development Summary	Vehicular entrance.		
Development Address	62 Crannagh Park, Rathfarnham, Dublin 14.		
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 X	Tick if relevant and proceed to Q2.	
	No	Tick if relevant. No further action required	
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	Tick/or leave blank	State the Class here.	Proceed to Q3.
No	X		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	Tick/or leave blank		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	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)

5. Has Schedule 7A information been submitted?		
No		Screening determination remains as above (Q1 to Q4)
Yes	Tick/or leave blank	Screening Determination required

Inspector: ____B. Wyse_____

Date: ____9 June 2025