



An  
Coimisiún  
Pleanála

## Inspector's Report

**ABP-322405-25**

<b>Development</b>	House extension and associated works
<b>Location</b>	37 Quarry Road, Cabra East, Dublin 7
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB1278/25
<b>Applicants</b>	Dylan Coughlan and Louise Ward
<b>Type of Application</b>	Retention and Permission
<b>Planning Authority Decision</b>	Grant permission subject to conditions
<b>Type of Appeal</b>	First Party v. Condition
<b>Appellants</b>	Dylan Coughlan and Louise Ward
<b>Observers</b>	None
<b>Date of Site Inspection</b>	30 July 2025
<b>Inspector</b>	B. Wyse

## 1.0 Site Location and Description

- 1.1. No. 37 is a two storey end of terrace house on the east side of Quarry Road. The house has been extended to the front (porch – recently removed), side and rear, all single storey with flat roofs. There is an existing vehicular entrance and drive to the front. There is a pedestrian lane between the house and the next terrace to the south. Properties in the vicinity feature a wide variety of vehicular entrances of different widths and configurations.

## 2.0 Proposed Development

- 2.1. The proposed development consists of the following:

Retention of single storey side and rear extension (17sqm).

Permission for:

- Demolition of front porch and rear utility.
- New ground floor rear extension (5sqm).
- Alteration of side extension roof from flat to sloping with 3no. rooflights.
- Widening of front vehicular access (from 2.4m to 3.5m).

## 3.0 Planning Authority Decision

### 3.1. Decision

The decision to grant permission is subject to 10 conditions. The conditions are generally standard. The Condition 4, the condition under appeal, states as follows:

**4. The following requirements of the Transportation Division of Dublin City Council shall be complied with:**

- a) Driveway entrance shall be a maximum 2.5m in width and shall not have outward opening gates.
- b) No additional dishing is required as existing dishing is sufficient for the site.
- c) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

**Reason:** *In the interests of pedestrian and traffic safety and guidance under Section 4.3.2, Volume 2, Appendix 5 of the Dublin City Development Plan 2022 – 2028.*

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

#### **3.2.1. Planning Report**

Basis for planning authority decision. Includes:

- Reference to the report of the Transportation Planning Division on which the attachment of Condition 4 is based.
- No requirement for appropriate assessment or environmental impact assessment or screening for same.

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

**Transportation Planning Division.** Includes:

*The proposed vehicle entrance is 3.5m in width, which is contrary to the maximum standards of Section 4.3.1 of Appendix 5 Dublin City Development Plan 2022 – 2028. This can be reduced in width subject to conditions.*

*There is a street tree located outside of the site on the public foot path. Section 4.3.2 of Appendix 5 Dublin City Development Plan 2022 – 2028 sets out the standards for street trees and distance between vehicle entrances and street trees. The street tree has been identified as a medium size street tree, section 4.3.2 of Appendix 5 Dublin City Development Plan 2022 –2028 shows that a minimum of 2.5m and 800cm for dishing shall be provided between vehicle entrance and street tree.*

*The proposed 3.5m will result in additional footpath dishing within the root zone of the nearby street tree contrary to Section 4.3.2. It is recognised that a slight increase is possible to bring the existing entrance to current development standards provided no additional dishing is sought.*

*This concern can be addressed via a condition in the event of a grant of permission.*

Drainage Division – recommends standard conditions.

### **3.3. Prescribed Bodies**

Uisce Eireann; National Transport Authority; Irish Rail – no reports received.

Transport Infrastructure Ireland – possible development contribution under light rail scheme.

### 3.4. Third Party Observations

None.

### 4.0 Planning History

None at subject property.

**PA Ref. WEB1037/22** – this is a case referred to in the grounds of appeal. It's a 2022 permission relating to No.43 Erris Road, a similar property on a nearby road, for a widened vehicular entrance and driveway, Condition 2 of the permission restricted the width of the entrance to a maximum of 3m.

### 5.0 Policy Context

#### Development Plan

#### Dublin City Development Plan 2022-2028

*Zoning Z1: To protect, provide and improve residential amenities.*

*Appendix 5 Transport and Mobility: Technical Requirements*

*Section 4.0 Car Parking Standards, Includes:*

*Residential parking spaces are mainly to provide for car storage to support family friendly living policies in the City. It is not intended to promote the use of the car within the City.*

*Section 4.3.1 Dimensions and Surfacing. Includes:*

*Vehicular entrances shall be designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians.*

*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.*

*Section 4.3.2 Impact on Street Trees. Includes:*

*In all cases, the proposed vehicular entrance shall not interfere with any street trees. Proposals to provide a new entrance or widen an existing 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.... A minimum clearance will be required from the surface of the tree trunk to the*

*proposed edge of the dishing. Figure 1 illustrates the various minimum clearance distances required, based on the maturity of the street tree.*

The said Figure 1 indicates minimum distances of 1.5m, 2.5m and 3.5m from the surface of a tree trunk to the edge of the dished kerb depending on whether the tree is small, medium or large.

### **5.1. Natural Heritage Designations**

None relevant.

## **6.0 Environmental Impact Assessment (EIA)**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. Refer to Form 1 in Appendix 1 of report.

## **7.0 Water Framework Directive (WFD)**

I have considered the proposed development in the light of the objectives of Article 4 of the Water Framework Directive, which seeks to protect and where necessary, restore surface and groundwater to reach good status and prevent deterioration. Having regard to the nature, small scale and location of the proposed development in a serviced urban area, I am satisfied that there is no conceivable risk to any water body from the proposed development. No further assessment is required.

## **8.0 The Appeal**

### **8.1. Grounds of Appeal**

This is a first party appeal against Condition 4 only of the planning authority decision. The main grounds can be summarised as follows:

- The applicants wish to retain the originally proposed 3.5m wide vehicular entrance.
- Section 4.3.1, Appendix 5 of the development plan sets a maximum driveway width for single dwellings of 3.6m.

- Section 4.3.2 of Appendix 5, supported by Figure 1, sets two key standards in relation to street trees; minimum 2.5 m from the tree trunk to the edge of the entrance; and a minimum 800mm between the tree trunk and the dished kerb. Updated drawings submitted to illustrate compliance with both requirements.
- There are multiple examples of wider vehicular entrances in the surrounding area, notably permission PA Ref. WEB1037/22.
- The wider entrance would facilitate safer and easier vehicle access and egress.
- Should it be considered necessary the entrance width could be reduced to 3m. This would not require any changes to the existing dishing of the footpath.

## 8.2. **Planning Authority Response**

None received.

## 8.3. **Observations**

None.

## 9.0 **Assessment**

- 9.1. This is an appeal against Condition 4 only of the planning authority decision. I am satisfied, having regard to the nature of the condition, that determination of the application as if it had been made to the Commission in the first instance is not warranted. The appeal, therefore, can be dealt with under the terms of Section 139 of the Act.
- 9.2. It is clear from the report of the planning authority Transportation Planning Division that the main concern underlying the planning authority condition 4 is the potential requirement to increase the width of the dished kerb area, consequent on widening the entrance, and its possible impact on the nearby street tree.
- 9.3. In my view widening the entrance as proposed to 3.5m, adding just 1.1m to the existing opening, would not necessitate widening the existing dished area. Furthermore, the Commission will note that there is a path build-out in front of the

tree that extends to the edge of the existing dish area and that there is a road drain in the immediate vicinity. Extending the dish area, therefore, would not be practical or desirable either.

- 9.4. I have been unable to identify the source of the 800cm measurement referred to in the Transportation Planning Division report. In any event it does not have any bearing on the assessment.
- 9.5. Noting the need to apply the stated standards with a degree of flexibility, and noting also the wide variety of vehicular entrance widths and configurations in the vicinity, I conclude that the appeal should be upheld in this instance.

## **10.0 AA Screening**

- 10.1. Having considered the nature, small scale and location of the project within an established urban area, and taking account of the screening determination of the planning authority, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 10.2. 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.

## **11.0 Recommendation**

- 11.1. I recommend that the Commission should direct the planning authority to amend Condition 4(a) to read as follows:

*a) Driveway entrance shall be a maximum 3.5m in width and shall not have outward opening gates.*

## **12.0 Reasons and Considerations**

Having regard to Section 4.3.2, Appendix 5 to the Dublin City Development Plan 2022-2028, and there being no need to extend the existing dish kerb area, the

proposed widening of the entrance to 3.5m would not have any adverse impact on the nearby street tree. It is considered, therefore, that the restriction imposed by the planning authority in Condition 4(a) is not warranted.

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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B. Wyse  
Planning Inspector

... July 2025



## Appendix 1 - Form 1 EIA Pre-Screening

<b>Case Reference</b>	
<b>Proposed Development Summary</b>	Domestic extension.
<b>Development Address</b>	
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input type="checkbox"/> <b>X</b> Yes, it is a 'Project'. Proceed to Q2.  <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in <b>Part 1</b> .  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input type="checkbox"/> <b>X</b> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> <b>X</b> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of	

<p>proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Preliminary Examination or Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b></p>

<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

**Inspector: \_\_\_\_B. Wyse      Date: \_\_\_\_ July 2025**

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