



An
Coimisiún
Pleanála

Inspector's Report

ABP-322582-25

Development	Protected Structure: A new vehicular entrance (c.3m wide) and associated site works
Location	63 Palmerstown Road, Dublin 6, D06R6C2
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB1397/25
Applicant(s)	Catriona Barry
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First
Appellant(s)	Catriona Barry
Observer(s)	None
Date of Site Inspection	14 July 2025
Inspector	Conor Hughes

Contents

1.0	Site Location and Description	3
2.0	Proposed Development	3
3.0	Planning Authority Decision	4
4.0	Planning History	6
5.0	Policy Context.....	6
6.0	EIA Screening.....	11
7.0	The Appeal	11
8.0	Assessment.....	13
9.0	AA Screening.....	17
10.0	Water Framework Directive	18
11.0	Recommendation	19
12.0	Reasons and Considerations	19
13.0	Conditions	

Appendix 1 –EIA Screening

1.0 Site Location and Description

- 1.1. The site is located in an established residential neighbourhood approximately one-kilometre southeast of Rathmines village.
- 1.2. Palmerstown Road is a two-way street comprised mainly of large three-storey terraced, semi-detached and detached dwellings of brick construction with slate roofs.
- 1.3. There is a uniform building line along the entire length of the road and the dwellings on both sides have rectangular front and rear gardens.
- 1.4. 63 Palmerstown Road is an end of terrace dwelling on the eastern side of the street approximately 40 metres from the junction of Ormond Road South.
- 1.5. The boundary with the footpath is defined by a cast iron railing on a plinth and a pedestrian gate. The garden is a grassed lawn with a single mature tree located adjacent to the pedestrian gate.
- 1.6. The boundary with the neighbouring dwelling at 64 Palmerstown Road is a random stone wall with a granite coping on top and granite pillar at the edge of the footpath. The other boundary with 62 Palmerstown Road is a hedgerow.
- 1.7. Trees are planted in the footpath on the street and the closest trees to the site are on the boundary between 63 and 64 Palmerstown Road and in front of the pedestrian gate to 62 Palmerstown Road.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - Partial removal of railing and plinth to create a new vehicular entrance for an off-street parking for three cars; and
 - The erection of new cast iron gates at the roadside boundary of the site, installation of an EV charging point, landscaping and alterations to the public footpath to facilitate the new access.

3.0 Planning Authority Decision

3.1. Decision

- On 24 April 2025 the Planning Authority issued notification of their decision to refuse permission for a new vehicular entrance (c. 3m wide) in the form of swing gates; 3 no. car parking spaces (5m x 3m each); an electric vehicle charging point, and associated site development works.
- The first reason for refusal cited that the proposed development would result in the removal of on-street parking detracting from the convenience of road users and the residential amenity of surrounding properties contrary to the Development Plan. It would also create an undesirable precedent for other similar development on surrounding streets which is contrary to the proper planning and sustainable development of the area.
- The second reason for refusal cited that the vehicular entrance and parking spaces in the front garden would seriously injure the architectural character of both the setting of the Protected Structure and the historic streetscape contrary to the Development Plan. The proposed development would also give rise to an unacceptable loss of original historic fabric and character and would set an undesirable precedent contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planning report noted that the proposed development can in principle be considered within the Z2 Residential Neighbourhood (Conservation Area) zoning.
- In consultation with the Transport Planning Division and DCC Parking Enforcement, the report noted that parking on Palmerston Road is regulated with Pay & Display and Permit Parking, available Monday to Friday from 08:00 to 18:30. There is high demand for on street parking at this location and the loss of a space would not be permitted.

- In consultation with the Conservation Officer the principle of dismantling primary fabric from a protected structure was noted as not good conservation practice. The proposed gates, vehicle entrance and three parking spaces would alter the appearance and the proportions of the original boundary resulting in a loss of historic fabric. It would also impact adversely on the character and setting of this Protected Structure and adjoining Protected Structures along the street.
- The number of existing vehicular access gates on Palmerstown Road cited as precedent was noted in the report but this is considered to have resulted in an incremental loss in both the fabric and the character of the boundaries of these Protected Structures along the road, resulting in a subsequent negative impact on the character of the street.
- The proposed installation of an EV pole mounted charge point in the parking area was noted as a sustainability measure encouraged by the Council. However the installation of EV charging was not considered to be appropriate to the special architectural character of the Protected Structure.

3.2.2. Other Technical Reports

- Transport Planning Division: Recommended refusal as the loss of on street parking contradicted Policy SMT25 and Section 8.5.7 of the Development Plan 2022-2028.
- Drainage Division of the Engineering Department: No objection subject to a condition requiring surface water to be managed through a sustainable drainage system.

3.3. Prescribed Bodies

- An Taisce: No response received.
- An Chomhairle Ealaíon: No response received.
- Department of Housing, Local Government and Heritage: No response received.
- Fáilte Ireland: No response received.
- The Heritage Council: No response received.
- Uisce Éireann: No response received.

3.4. Third Party Observations

- None

4.0 Planning History

Appeal site

- Planning Authority Reference 1800/25 – permission granted for internal and external alterations to convert the protected structure to a single-family dwelling.
- Planning Authority Reference 0336/24 – split decision. Exemption granted for works to revert the building from 9 separate flat to a single dwelling. Exemption refused for works to original building fabric including external render, internal doors, joinery and internal walls.

5.0 Policy Context

5.1. Development Plan

The Dublin City Development Plan 2022-2028 (the Development Plan) is the relevant plan for the area within which the site is zoned objective Z2 'Residential Neighbourhoods (Conservation Areas)'. The building at 63 Palmerstown Road is a protected structure (RPS Ref No.6234) and is described in the record as a house.

Chapter 8: Sustainable Mobility and Transport

- Section 8.5.7 of the Development Plan refers to car parking and recognises the need to control and manage on-street parking to safeguard and enhance city living for people of all ages and abilities and for families. Controlled on-street parking also meets the operational kerbside activities within the city.
- Policy SMT25 states it is the Policy of Dublin City Council:

'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 reorganisation 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’.

Chapter 11: Built Heritage and Archaeology

- Section 11.5.1 of the Development Plan refers to the requirement for the Planning Authority to include in their development plan objectives for the protection of structures, or parts of structures, which are of, special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest.
- Policy BHA2 states it is the policy of Dublin City Council:

Development of a Protected Structure

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.

- Section 11.5.3 of the Development Plan refers to built heritage assets which contribute significantly to the streetscape and to the character of the city.
- Policy BHA9 states it is the policy of Dublin City Council:

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.

Chapter 14: Land Use Zoning

- Section 14.7.2 of the Development Plan refers to Land-Use Zoning Objective Z2 and recognises that special care is required in dealing with development proposals which affect structures in such areas that are both protected and non-protected. The general objective is to protect those areas from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.

Chapter 15: Development Standards

- Section 15.6.9 refers to trees and hedgerows adding a sense of character, maturity and provide valuable screening, shelter and privacy and will often have a useful life expectancy beyond the life of new buildings. Dublin City Council will seek to protect existing trees and hedgerows when granting planning permission for development.

Appendix 5 Transport and Mobility: Technical Requirements

- Section 4.1 refers to 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.
- Section 4.3 refers to 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.

- Section 4.3.1 refers to vehicle entrances being designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians. Where a new entrance onto 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. In addition, the vehicular opening 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 refers to in all cases, that 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.
- Figure 1 in Appendix 5 outlines necessary buffer clearance to protect street tree and the root zone. Minimum clearance from the surface of the tree trunk to the proposed edge of the dishing is 3.5 m for a large tree and 2.5 m for a medium tree.
- Section 4.3.4 refers to Sustainable Urban Drainage. Large unrelieved areas of paving or other impermeable surface treatments will not be considered acceptable. Where unbound material is proposed for driveway, parking and hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.
- Section 4.3.5 refers to the treatment of Front Boundaries. 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. Vehicular entrances with splayed entrance walls or fences will not generally be permitted. All boundary treatment shall take cognisance of the need to provide adequate visibility.
- Section 4.3.6 refers to the landscape treatment of front gardens. 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.

- Section 4.3.7 refers to parking in the curtilage of Protected Structures, Architectural Conservation Areas and Conservation Areas. Poorly designed parking within the curtilage and front gardens of protected structures and in conservation areas having 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.

5.2. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

Architectural Heritage Protection Guidelines 2011

Chapter 13 refers to Curtilage and Attendant Grounds.

- 13.4.3. 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 flanking walls or 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. Proposals to lower or raise the height of boundary walls should also be given careful consideration as such alterations can have a detrimental effect on the character of a protected structure and on the character of an ACA.
- 13.4.4 While some minor changes may be granted planning permission, the cumulative effect on the character of the street or area of a series of incremental changes may not be acceptable.
- 13.4.6 Where the repair of historic ironwork associated with the curtilage is proposed, it should be made a condition of any planning permission that as much of the existing material as possible is retained rather than renewed.

5.3. Natural Heritage Designations

The site is located approximately:

- 1.5 kilometres south of the Grand Canal Proposed Natural Heritage Area (pNHA:002104)
- 3.5 kilometres west of South Dublin Bay Special Area of Conservation (SAC) and Proposed Natural Heritage Area (SAC/pNHA:000210) and the South Dublin Bay and River Tolka Estuary Special Protection Area (SPA:004024)

6.0 EIA Screening

- 6.1. 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 (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

Hughes Planning and Development Consultants acting for Catriona Barry has appealed the decision of Dublin City Council to refuse permission. The grounds of the appeal can be summarised as follows:

Refusal Reason 1

- Regarding Dublin City Council concerns about the removal of the on-street parking space the reason for refusal does not adequately consider the context of the site, precedents for similar development in the area, or the specific circumstances of the household.
- The Palmerstown Road is a primarily residential area and most of the neighbouring dwellings have off-street parking provided. The proposed development is therefore consistent with the established pattern of development and character of the area.

- Images of the off-street parking of the properties adjacent to the site at 62, 64 and 65 Palmerstown Road and opposite at 22 and 25 Palmerstown Roads are presented as examples of similar development in the area and precedent for the proposed development.
- One on-street parking space is to be removed which is in front of the subject property. This space along with a second adjacent space is used by the residents of the dwelling for on-street parking.
- The provision of off-street parking for this property will improve the availability of on-street parking by freeing up an on-street space which is presently taken up by the residents of the dwelling.
- Consequently, there will be no impact on or loss of amenity to neighbouring properties from the removal of one on-street parking space.

Refusal Reason 2

- Many of the properties neighbouring the site which are protected structures have off-street parking in their front gardens. There is precedent for this type of development and the proposed vehicular entrance simply follows the established pattern of development for this area.
- Planning histories are provided for similar developments at 3, 23, 60, 62, 65, 66, 69 and 81 Palmerstown Road as examples of precedence for similar development. The proposed development is justified on the basis of these other local examples and would not set an undesirable precedent in other streets.

Amended Proposal

- An amended scheme is presented with the vehicular entrance reduced to 2.6 metres to be in line with Section 4.3.7 of Appendix 5 of the Plan. It is further proposed to reduce the number of spaces to two and enhance the landscaped area in the garden.

7.2. Planning Authority Response

- None

7.3. Observations

- None

8.0 **Assessment**

8.1. Having examined the application details and all the other documentation on file, including the submission received to appeal, the reports of the local authority, and having inspected the site, and having regards to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered as follows:

- The loss of on-street parking provision
- The impact on the Protected Structure
- Other Matters

The loss of on-street parking provision

8.2. In relation to the removal of an on-street parking space, I note Section 8.5.7 of the Development Plan refers to car parking and recognises the need to control and manage on-street parking to safeguard and enhance city living for people of all ages and abilities and for families. Controlled on-street parking also meets the operational kerbside activities within the city.

8.3. I note section 4.1 of Appendix 5 states there is 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.

8.4. I further note that section 4.3 of Appendix 5 states that 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.

8.5. In the consultation report from Transport Planning Division dated 02nd April 2025 significant weight is attached to an internal consultation with Dublin City Council Parking Enforcement who confirm the Palmerston Road is classified as an area of high parking demand.

8.6. No evidence is provided in the Transport Planning Division report to confirm why the Palmerstown Road is classed as an area of high parking demand and the advice of the Parking Enforcement Section is at odds with my observations from the site visit.

The uptake of parking was low and more than two thirds of the on-street parking spaces in the general vicinity of the site were empty.

- 8.7. The majority of dwellings adjacent to and opposite the site between the junction of Ormond Road South and Windsor Road, have off-street parking and it cannot be held that residents “rely” on on-street parking in the general vicinity of the site.
- 8.8. Turning then to the issue of the availability of on-street parking for other citizens of the city. The Palmerstown Road is primarily a residential area and there are no schools, churches, businesses, shops or parks (Palmerstown Park is 500 metres south of the site) that would in my judgement give rise to competition for on-street parking on weekdays when the on-street parking restrictions apply.
- 8.9. Notwithstanding the argument that the agent makes in the grounds of appeal I consider based on my observations that even with the loss of one parking space there will still be adequate on-street parking available in the general vicinity of the site to safeguard and enhance city living for those residents in the area without off street parking, for visitors, to meet existing or emerging accessible parking requirements and to facilitate any kerbside activities.
- 8.10. I am satisfied that the loss of one on-street parking space at this location will not detract from the convenience of road users and the residential amenity of surrounding properties for the reasons I have outlined above.
- 8.11. I am also satisfied that the proposed development would not create an undesirable precedent for similar development on surrounding streets. I am required to consider this proposal on its own merits and have distinguished how it meets policy based on the number of properties with off-street parking adjacent to and opposite the site and the availability on-street parking in the local context of the subject site.
- 8.12. For the reasons specified in the preceding paragraphs I am satisfied that the proposed development is in accordance with Section 8.5.7, policy SMT25 and Section 4.1 and 4.3 of Appendix 5 of the Development Plan. The reason for refusal is not sustained.

The impact on the Protected Structure

- 8.13. The grounds of appeal argue that at least eight protected structures in the immediate vicinity of the site have vehicular entrances and off-street parking and this form of development is part of the established character of the area.

- 8.14. I also note in the submitted architectural impact assessment (AIA) describes the proposed works as having a minimal visual impact on the Protected Structure.
- 8.15. It is highlighted in the AIA that the building is from the Victorian period and the larger plot has more capacity to absorb three parking spaces than the smaller Georgian plots in the street.
- 8.16. The AIA estimates that more than 80% of the original fabric is retained and repaired and that only part of the plinth is lost to facilitate the entrance. It is highlighted that this will be reused as part of the landscaping works.
- 8.17. The AIA emphasises that when the gates are closed the appearance of the curtilage will remain unchanged and that the parking will be hidden from public view by the proposed landscaping.
- 8.18. I note from my site visit that the subject site is an end of terrace dwelling with a larger front garden than the other four dwellings in the terrace. There is a single tree in the lawn which is the only remaining landscape feature. The garden, pedestrian access and historic ironwork railings on a granite plinth are original and intact features and an essential part of the structure's special interest.
- 8.19. The front lawn is not landscaped and the wide plot and open railing allows the Protected Structure to be appreciated in its full context without the interruption of any development between the building and the street.
- 8.20. I observed that most of the properties adjacent to and opposite the site did not have their gates closed and that the hard or gravelled surface and parked cars were still obvious in street despite most of the properties having mature hedgerow and shrub planting along their boundaries.
- 8.21. I concur with the finding of the Conservation and Planning Officers of Dublin City Council that inserting three car parking spaces into the front garden of 63 Palmerstown Road will not conserve or enhance the Protected Structure.
- 8.22. The mitigation specified in the AIA that parked cars will be hidden by the proposed landscaping is not adequate to address the concern I have about the adverse impact the proposed development will have on the character and setting of the Protected Structure. It cannot also be presumed that the gates will be closed all of the time to justify a position that the appearance of the curtilage will remain unchanged.

- 8.23. I am satisfied that the proposed development is inconsistent with the requirements of Section 11.5.1, criteria (f) and (g) of policy BHA2, Section 4.37 of Appendix 5 of the Development Plan and Section 13.4.4 of the Architectural Heritage Protection Guidelines 2011. It is therefore contrary to the proper planning and sustainable development of the area.
- 8.24. I further note that this is also one of two remaining dwellings in the terrace where the original curtilage is not altered and the historic fabric remains intact. I concur with the finding the Conservation and Planning Officers of Dublin City Council that the impact of a number of consecutive vehicle access gates along Palmerston Road has resulted in an incremental loss in both the fabric and the character of the boundaries of these Protected Structures along the road, resulting in a subsequent negative impact on the character of the street.
- 8.25. Further eroding the character of the remaining protected structures and those features that enhance the character and appearance of the Conservation area and its setting is inconsistent with policy BHA 9 of the Plan and Section 13.4.4 of the Architectural Heritage Protection Guidelines 2011.
- 8.26. In the grounds for appeal the agent refers to a number of planning permissions granted for off-street parking in the front gardens of Protected Structures adjacent to and opposite the site and describes these as 'positive' precedents.
- 8.27. I am required to consider this proposal on its own merits. For the reasons I have explained above the cumulative effect these permissions have had a negative rather than positive effect on character of the Protected Structures in the street and the Conservation Area.
- 8.28. I also note that these planning applications were assessed under a previous Development Plan and as such within a different policy context. I am not aware of any relevant precedent in the area where permission was granted for off street parking in similar circumstances during the period of the current Development Plan.
- 8.29. An EV Charging Point is part of the proposed development. Notwithstanding the applicant's desire to install EV charging and the supporting policies in the Development Plan for the provision and expansion of the EV charging network, I do not consider these sufficient grounds to support the loss of historic fabric or to overcome the concerns I have raised about the adverse impact the proposed development will have on the character and setting of the Protected Structure.

Other Matters

- 8.30. I have considered this appeal based on the information submitted to Dublin City Council with application WEB1397/25 for a three metre wide entrance and three parking spaces in the front garden of the Protected Structure.
- 8.31. An alternative proposal is submitted with this appeal reducing the width of the entrance to 2.6 metres to be in accordance with the requirements of Section 4.3.7 of Appendix 5 of the Development Plan. One parking space is removed and the landscaped area increased in size to address the concerns about the impact on the Protected Structure and the character of the neighbourhood.
- 8.32. The changes to the scheme are small and do not represent a significant change to the nature and scope of the proposed development. I have considered the submitted plans and the supporting information and note that the same issues arise in terms of the loss or historic fabric and the impact the proposed development will have on the character and setting of the Protected Structure and the Conservation Area.
- 8.33. I am satisfied for the same reasons outlined in the preceding paragraphs that the proposed amendments still result in the loss of both the fabric and character of the Protected Structure and other Protected Structure along the road, resulting in a negative impact on the character of the street and the Conservation Area contrary to proper planning and the sustainable development of the area.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is located approximately 3.5 kilometres west of South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA.
- 9.3. The proposed development is comprised of the partial removal of railing and plinth to create a new vehicular entrance for an off-street parking for three cars and the erection of new cast iron gates at the roadside boundary of the site, installation of an EV charging point, landscaping and alterations to the public footpath.
- 9.4. No nature conservation concerns were raised in the planning appeal.

9.5. 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 location of the site in an established residential area, the scale of the proposed development which is small and the nature of the proposed works which are ancillary to an existing dwelling.
- The distance to the identified European sites and the lack of connection
- Taking into account the screening determination by the Planning Authority.

9.6. 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.

9.7. Likely significant effects are excluded and therefore Appropriate Assessment (Stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. The subject site is located approximately 1.5 kilometre south of the Grand Canal and one kilometre northeast of the River Dodder.

10.2. The proposed development is comprised of the partial removal of railing and plinth to create a new vehicular entrance for an off-street parking for three cars and the erection of new cast iron gates at the roadside boundary of the site, installation of an EV charging point, landscaping and alterations to the public footpath.

10.3. No water deterioration concerns were raised in the planning appeal.

10.4. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies wither qualitatively or quantitatively.

10.5. The reason for this conclusion is as follows:

- The location of the site in an established residential area, the scale of the proposed development which is small and the nature of the proposed works which are ancillary to a residential dwelling. Sustainable Urban Drainage can be used as mitigation and reduce the impact of surface/storm water entering the drainage network.
- The distance to the nearest water bodies and the lack of hydrological connection.

10.6. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that planning should be refused for the reasons and considerations as set out below.

12.0 Reasons and Considerations

12.1. The vehicular entrance and parking spaces in the front garden would seriously injure the architectural character of both the setting of the Protected Structure and the historic streetscape, and would give rise to an unacceptable loss of original historic fabric and character. The proposed works would, therefore, contravene Section 11.5.1, criteria (f) and (g) of policy BHA2 and Section 4.37 of Appendix 5 of the Dublin City Development Plan 2022-2028, and Sections 13.4.3 and 13.4.4 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) issued by the Department of the Environment, Heritage and Local Government. The proposed development would, therefore, be 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.

Conor Hughes
Planning Inspector

23 July 2025

Appendix 1 - Form 1 EIA Pre-Screening

Case Reference	
Proposed Development Summary	Partial removal of railing and plinth to create a new vehicular entrance for an off-street parking for three cars and the erection of new cast iron gates at the roadside boundary of the site, installation of an EV charging point, landscaping and alterations to the public footpath
Development Address	63 Palmerstown Road, Dublin 6, D06R6C2
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (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 checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
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?	

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold

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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

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Inspector: Conor Hughes

Date: 21 July 2025