



An  
Coimisiún  
Pleanála

## Inspector's Report

**ABP-322588-25**

<b>Development</b>	Vehicular entrance
<b>Location</b>	217 Clonliffe Road, Drumcondra, Dublin 3
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB1472/25
<b>Applicants</b>	Michael McGrowan and Laura Purcell
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party v. decision
<b>Appellants</b>	Michael McGrowan and Laura Purcell
<b>Observers</b>	Peter Branagan
<b>Date of Site Inspection</b>	8 August 2025
<b>Inspector</b>	B. Wyse

## **1.0 Site Location and Description**

- 1.1. No.217 is a mid-terrace period house on the southern side of Clonliffe Road. The front garden is generally enclosed by railings and hedging and there is a pedestrian only gate. Most of the houses on the southern side of the road in the general vicinity retain their original front gardens, railings and pedestrian only gates. A small number have vehicular entrances. The northern side of the road has quite a different character and features a mix of institutional uses, multi-unit residential uses and single dwellings. The mixed commercial area on Drumcondra Road is a short distance to the west.
- 1.2. There is a reasonably consistent row of mature street trees along the southern side of the road, including a tree between No.217 and 215. There is on-street pay parking along this side of the road and no parking on the other side.
- 1.3. A lane runs to the rear of the subject property providing vehicular access.
- 1.4. Clonliffe Road (R131) is a busy inner city traffic artery linking Drumcondra Road (N1) to Ballybough and East Wall, Dublin Port and the East Link Bridge. It is also one of the main access routes to Croke Park. The speed limit is 50kph.

## **2.0 Proposed Development**

- 2.1. The proposed development consists of the creation of a 2.5m wide vehicular entrance to the front of the property. The new entrance would incorporate the existing pedestrian entrance and the new gates would match the existing gate and railings.
- 2.2. The cover letter to the application indicates that a 2.54m wide pedestrian entrance to the rear of the property is to be narrowed to 1.2m to limit it to bicycle access. It states that the laneway is not an option for car access as it is routinely blocked and that rear parking provision would impact the private open space and is unsafe for the applicants to access at night.
- 2.3. The cover letter also indicates that the associated dishd kerb area would be 2.4m from the nearby tree trunk, thus being in compliance with the development plan

guidance. I note that the Proposed Plan drawing indicates this clearance distance as just over 3.4m.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

The reason for refusal is as follows:

*The proposed new vehicular entrance would result in the removal of on-street parking to accommodate private vehicular entrances, which would be contrary to the policy of the planning authority, as set out in Policy SMT25 (On-Street Parking), Section 8.5.7 (Car Parking) and Volume 2, Appendix 5, Section 4.1 (On-Street Parking) of the Dublin City Development Plan 2022- 2028, which aims to manage on-street parking to serve the needs of the city alongside the needs of residents, visitors, businesses, kerbside activity, and accessible parking requirements. The reduced supply of on-street parking would detract from the convenience of road users and the residential amenity of surrounding properties, would be contrary to the stated policy and would set an undesirable precedent for other similar developments in the area.*

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

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

Basis for planning authority decision. Includes:

- *The Planning Authority considers the proposed vehicular entrance to the front of this property in a residential conservation area, where access to the rear exists and on-street parking to the front would result in an unnecessary and undesirable visual intrusion with the loss of front garden space and original boundary. Having regard to the Transportation Planning Division's reason for recommending a refusal relating to the loss of one on-street car parking space would impact road users and the residential amenity of properties along Clonliffe Road (sic).*
- *Considering the context of the existing street and the limited number of nearby dwellings with vehicular entrances to the front, the proposed development would set an undesirable precedent and would therefore be contrary to the proper planning and sustainable development of the area.*

- No requirement for appropriate assessment or environmental impact assessment screening.

### 3.2.2. Other Technical Reports

#### **Transportation Planning Division**

Includes:

- *In terms of the vehicular entrance in the front boundary wall, there is an issue with the principle of a vehicular entrance as there is a reliance for residents on this street to utilise on-street parking. Based on the submitted drawings, the proposed in-curtilage parking would remove one on-street car parking space. On this basis, permission should be refused.*
- *On-street parking along Clonliffe Road serves both local residents, businesses, visitors and also provides traffic calming to the street. Currently, the Dublin City Development Plan 2022-2028 policies, as set out above, is designed to protect on-street spaces for the wider community as a whole. In this instance, the loss of on-street space to accommodate vehicular access for a privately owned vehicle, for a dwelling that already benefits from a rear vehicular access from a laneway, is not justified.*
- *This division also has concerns that removing on-street parking to facilitate vehicular access to a residential dwelling would set an undesirable precedent for similar sites along the street and throughout the city. Notwithstanding that, it is noted that dwellings without planning permission benefit from off-street car parking at this location.*

Drainage Division – no objection subject to standard conditions.

### 3.3. Prescribed Bodies

Uisce Eireann and Irish Rail – no reports received.

### 3.4. Third Party Observations

One submission received from Peter Branagan, the Observer to the appeal. Issues raised are similar to those raised in the submission in the appeal – see Section 8.3 below.

## 4.0 Planning History

### Subject Property

#### PA Ref. WEB1841/23 and WEB1485/22

These are recent permissions for refurbishments and extensions to the house.

### Properties in the Vicinity

#### PA Ref. WEB2728/24, ABP Ref. 322051

This is a recent (June 2025) refusal of permission for a development that included a new vehicular entrance to the front of No.147 Clonliffe Road. Reasons for refusal referred to conservation issues, the loss of on-street parking, and associated precedent, and the availability of vehicular access to the rear. The property is located in the Z2 (Conservation) zone.

#### PA Ref. WEB1819/24

This is a recent grant of permission for a development that included a new vehicular entrance to the front of No.67 Clonliffe Road. The property is located in the Z1 (Residential) zone. There was no loss of on-street parking.

This case is referenced in the application cover letter.

#### PA Ref. WEB1015/16

This is a 2016 refusal of permission for a vehicular entrance to the front of No.229 Clonliffe Road. Reasons for refusal referred to conservation, and associated precedent, and the availability of rear vehicular access. In the planning report assessment it was also noted that there was unrestricted parking on the public road to the front of the property. The property is located in the Z2 (Conservation) zone.

#### PA Ref. 2956/14

This is a 2014 grant of permission for a vehicular entrance to the front of No.259 Clonliffe Road. The property is in the Z2 (Conservation) zone. There is vehicular access to the rear of the property via a narrow lane. There is no on-street parking to the front and given the close proximity of the property to the junction with the Drumcondra Road it is unlikely that there was on-street parking in 2014 either.

## 5.0 Policy Context

### Development Plan

#### Dublin City Development Plan 2022-2028

**Zoning:** Z2 Residential Neighbourhoods ( Conservation Areas); *To protect and/or improve the amenities of residential and conservation areas....CHECK*

#### Chapter 3 Climate Action Objective CA04

*To support and implement the forthcoming Regional Strategy for Electric Vehicle (EV) charging over the lifetime of the plan in order to facilitate the transition to low carbon vehicles required to achieve 2030 national targets.*

#### Chapter 8 Sustainable Movement and Transport

Section 8.5.7 Car parking. Includes:

*Dublin City Council recognises the need to further control and manage on-street parking across the city to safeguard and enhance city living for people of all ages and abilities and for families.*

Policy SMT25 On-Street Parking. Includes:

*To manage on-street car parking to serve the needs of the city alongside the needs of residents, visitors, businesses, kerbside activity and accessible parking requirements, and to facilitate the re-organisation and loss of spaces to serve sustainable development targets such as in relation to, sustainable transport provision, greening initiatives, sustainable urban drainage, access to new developments, or public realm improvements.*

#### Appendix 5 Transport and Mobility: Technical Requirements

Section 4.0 Car Parking Standard. Includes:

*There is a predisposition to consider residential off-street car parking, subject to design and safety criteria, particularly along Core Bus Corridors (CBCs) and to facilitate traffic management proposals. However, proposals for off-street parking in the front gardens of single dwellings in predominantly residential areas will not be permitted where residents are largely reliant on on-street car parking and there is a strong demand for such parking.*

*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 4.1 On Street Parking. Includes:

*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.*

*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.*

Section 4.3 Parking in Front Gardens. Includes:

*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.*

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. 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.*

*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 4.3.7 Parking in the Curtilage of Protected Structures, Architectural Conservation Areas and Conservation Areas. Includes:

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 certain criteria can be met. These include:

- *A high standard of design and layout will be expected to integrate the proposal into the sensitive context...*
- *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;*
- *Every reasonable effort is made to protect the integrity of the protected structure and/or conservation area;*

- *The proposed vehicular entrance should, where possible, be combined with the existing pedestrian entrance so as to form an entrance no greater than 2.6 m 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;*

### 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**

The main grounds can be summarised as follows:

- When the applicants first moved to the property there was ample on-street parking – Google maps image from 2014 of opposite side of Clonliffe Road refers.



- In or around 2020 the council introduced extensive double yellow lines along this section of the road which significantly reduced the availability of on-street parking.
- In the circumstances it is disproportionate to refuse permission for a single off-street parking space on the grounds that it may reduce on-street parking.
- The proposal would help alleviate pressure on the remaining on-street parking and enhance the residential amenity for both the applicant and surrounding residents.
- The current arrangement often results in the applicants to walk several hundred metres to find a parking space.
- The traffic volumes on Clonliffe Road make it difficult and unsafe to unload or access a vehicle while parked on the street, especially with a young child.
- In line with climate action policy the applicants also wish to transition to an electric vehicle (EV) and would require off-street parking to facilitate safe and secure home charging.
- A similar development at No.67 Clonliffe Road was granted permission.
- The proposed entrance at 2.5m wide would not result in the loss of a full parking space and would result in a gain of a space.
- The proposed development at just 2.5m in width and matching the existing fence detail would have a minimal impact on the visual amenity of the vicinity.

## **8.2. Planning Authority Response**

None received.

## **8.3. Observations**

An observation has been received from Peter Branagan, 145 Clonliffe Road.

Issues raised include:

- Comparisons drawn by the applicant's with other cases in the area are invalid and other relevant cases, particularly in the Z2 residential conservation zone, are omitted.
- There is a long list of historical refusals for similar developments in the Z2 zone.
- The multiple reasons for refusal within the planning authority reason for refusal and which, if accepted, would have amounted to several material contraventions of the development plan.
- Reasons cited in another recent case related to the availability of parking to the rear and negative impacts on a street tree should have been included in this case.
- Previous refusals have also referred to the removal of fine Victorian railings and the need to protect the relatively intact streetscape along Clonliffe Road.
- The proposal would result in the loss of an on-street parking space.
- Clonliffe Road is an extremely busy road and egress from the site would give rise to traffic hazard.
- The proposal should not be permitted as it would result in a very bad precedent.

## 9.0 **Assessment**

9.1. The main issues in this appeal are those raised in the planning authority reason for refusal. The Observer submission raises other issues and I will deal with these in turn. I am satisfied that no other substantive issue arises. The issues can be addressed under the following headings:

- On-Street Parking
- Conservation
- Traffic Hazard

## **9.2. On-Street Parking**

- 9.2.1. It is clear from the thrust of development plan policy as referenced above (Section 5.0) that the plan is seeking to strike a balance between the needs of individual residents on the one hand and residents generally and the wider community, including businesses and other institutional uses, on the other. It is also clear from the history cases cited above (Section 4.0), and which is not an exhaustive account, that achieving the right balance is difficult and may even appear to generate some inconsistent results.
- 9.2.2. The key elements relevant to the subject proposal are; the availability of on-street parking to the front of the property; the availability of rear vehicular access to the property; and the fact that almost all of the houses in the terrace of which No.217 is a part are served by and are reliant on the on-street parking; and the location of the property on an important traffic artery in close proximity to a mix of commercial and institutional uses.
- 9.2.3. While I acknowledge that the use of on-street parking does come with some level of inconvenience, as referred to by the applicants, I do not consider this to be overly onerous. It is a common feature of inner city living.
- 9.2.4. The rear access lane in this case is of a substantial width and is not excessively long so it provides for relatively easy vehicular access to the property. While I acknowledge the applicants assertion that the lane may be blocked at certain times and their reservations about using it at night, the on-street parking is available as an alternative. The rear garden of the property is reasonably generous so I don't accept the contention that a parked vehicle would have an adverse impact. Car charging, a relatively infrequent occurrence in most instances, could be carried out from this location.
- 9.2.5. I do not accept the applicants contention that the proposed entrance would not result in the loss of an on-street parking space. It would, in my view, effectively sterilise an area roughly equivalent to one parking space. While it can be argued that the space lost would simply be the space otherwise taken up by the applicants car, the loss of space on the street would be permanent. In the current scenario that space on the street becomes available to others when the applicants car is in use. The dynamic nature of on-street parking, where charging is in place as is the case here, is a very

important element of its utility to the wider community. This is particularly the case in this instance given the location on an important traffic artery and in close proximity to commercial and other uses where the availability of on-street parking is likely to be at a premium.

- 9.2.6. In instances such as this I also consider that the issue of precedent has some merit in that it is not difficult to envisage the implications for the on-street parking in the area should the provision of new vehicular entrances to the front of these house become widespread. In this regard it appears that the few existing vehicular entrances along the terrace may not be authorised.
- 9.2.7. Of the history cases cited above (Section 4.0) the Commission might note case PA Ref. WEB2728/24, ABP Ref. 322051 in particular. The reasons for refusal included reference to the loss of on-street parking and the availability of rear vehicular access. I consider that similar reasoning applies in this case.

### 9.3. **Conservation**

- 9.3.1. This issue is not referred to in the planning authority reason for refusal and is, understandably, given only a fleeting reference in the grounds of appeal. It is, however, referred to at length in the observer submission.
- 9.3.2. The proposed vehicular entrance would be just 2.5m wide and would incorporate the existing pedestrian entrance and the gate design would match the existing gate and railings. As such I consider that the proposal is consistent with development plan Appendix 5, Section 4.3.7 guidance for the provision of vehicular entrances in conservation areas (Section 5.0 above).
- 9.3.3. I do not consider, therefore, that permission should be refused on conservation grounds. If the Commission is to adopt a contrary view, and if this was to be the only reason for refusal, then I consider, in the interest of fairness, that either the observer submission should be circulated to the applicants for comment or the applicants should be notified of the matter as a new issue under Section 137 of the Act prior to any decision issuing. If proceeding to refuse in relation to the on-street parking issue, as recommended, then the Commission might want to consider adding reference to the conservation issue by way of a note to the Order.

#### **9.4. Traffic Hazard**

- 9.4.1. This issue is not referred to in the planning authority reason for refusal either but it is referred to at some length in the observer submission. Understandably the applicants do not refer to it in the grounds of appeal.
- 9.4.2. As previously indicated Clonliffe Road is an important and busy traffic artery. While the speed limit is 50kph I consider that the proposed vehicular entrance would give rise to traffic hazard. This would arise, in my view, when the car is exiting onto the road, either in forward or reversing motion, as sightlines are likely to be severely restricted by on-street parked cars. The provisions of development plan Appendix 5, Section 4.3.1 are particularly relevant here (Section 5.0 above).
- 9.4.3. I consider that this a further reason to refuse permission. However, it is a new issue in the appeal and the provisions of Section 137 of the Act apply. For this reason I do not include it in the recommended decision below. The Commission might want to consider adding reference to the matter as a note to the Order.

#### **10.0 Appropriate Assessment (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 permission be refused.

## 12.0 Reasons and Considerations

Having regard to Section 8.5.7 (Car Parking), Policy SMT25 (On-Street Parking), and Volume 2, Appendix 5, Section 4.1 (On-Street Parking) and Section 4.3 (Parking in Front Gardens) of the Dublin City Development Plan 2022- 2028, which aim to manage on-street parking to serve the needs of the city alongside the needs of residents, visitors, businesses, kerbside activity, and accessible parking requirements, it is considered that the proposed vehicular entrance, at a property where there is an existing rear vehicular access, would result in the loss of on-street parking that cannot be justified. The reduced supply of on-street parking would detract from the residential amenity of surrounding properties and the convenience of other road users. The proposed development would, therefore, be contrary to the stated policy, would set an undesirable precedent for other similar developments in the area and would 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.

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B. Wyse  
Planning Inspector

14 August 2025

## Appendix 1 - Form 1 EIA Pre-Screening

<b>Case Reference</b>	
<b>Proposed Development Summary</b>	Domestic vehicular entrance
<b>Development Address</b>	217, Clonliffe Road, Drumcondra, Dublin 3
	<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 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"/> X</p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>



**Inspector:  B. Wyse      Date:  14 August 2025**

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