



An
Coimisiún
Pleanála

Inspector's Report

PL500110-DS

Development	The provision of a 2.5 metre wide vehicular entrance to the front of the property
Location	18 Emmet Road, Dublin 8
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB 2798/25
Applicant(s)	Paul Magee
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Paul Magee
Observer(s)	None
Date of Site Inspection	6 th December 2025
Inspector	Andrew Hersey

1.0 Site Location and Description

- 1.1 The site is located at 18 Emmet Road, Inchicore, Dublin 8. The site comprises of a end of terrace dwelling with front, side and rear gardens. The front garden slopes sharply up from the footpath and is served by a pedestrian entrance only. There is a stepped access from the pedestrian gate to the front door of the house.
- 1.2 There is Pay & Display and Permit designated kerbside parking along the roadside.
- 1.3 There is one other house in this terrace which has off road parking

2.0 Proposed Development

- 2.1 The proposed development is for the provision of a 2.5 metre wide vehicular entrance to the front of the property.
- 2.2 Drawings submitted with the application show for a single car parking space within the confines of the site (stated as being 3m x 5m) The remainder of the area is to remain as amenity space. The existing pedestrian entrance is to remain and is to be separate to the proposed entrance.

3.0 Planning Authority Decision

3.1 Decision – Refuse Permission for the following reason:

The Planning Authority is not satisfied that the proposed vehicular entrance would provide safe access and egress, due to its conflict with the permitted indented parking bay and footpath build-out under the 'Liffey Valley to City Centre' Core Bus Corridor scheme. The proposed entrance would require removal or alteration of part of this bay, resulting in the loss of an on- street parking space. This would contravene Appendix 5 and Policy SMT25 Section 8.5.7) of the Dublin City Development Plan 2022–2028, where there will be a presumption against the removal of on-street parking spaces to facilitate the provision of private vehicular entrances to single dwellings in predominantly residential areas. The proposed development would therefore set an undesirable precedent for other similar developments and would be contrary to the proper planning and sustainable development of the area

3.1.2. Planning Authority Reports

The case planners report raises the following issues;

- That the majority of dwellings on the southern side of Emmet Road in the vicinity of the site are reliant on on-street kerbside car parking
- That local amenities including commercial and cultural uses were noted on Emmet Road and adjoining streets within 100m walking distance of the site. High daytime demand for on-street parking was observed during the case planners site visit
- That the Transportation Planning Division (TPD) has recommended refusal of the proposed vehicular entrance due to its direct conflict with the permitted 'Liffey Valley to City Centre' Core Bus Corridor (CBC) scheme, with construction works due to commence shortly.
- The case planner concludes that the proposed vehicular entrance would result in unsafe vehicular access and removal of on-street parking, and therefore conflict with the policies and guidance of Appendix 5 and Section 8.5.7 of the City Development Plan and that permission should be refused on this basis.

3.1.3 Other Technical Reports

- Drainage (20th August 2025) – no objection
- Transportation Planning (31st July 2025) states the following;
 - Emmet Road forms part of the permitted 'Liffey Valley to City Centre' Core Bus Corridor (CBC) scheme. Construction works are expected to commence in 2025. As illustrated in the General Arrangement Drawings submitted for the CBC scheme (Sheet 22 of 28), permitted works adjacent to the site comprise a re-configuration of the roadway including replacement of the existing line-marked parking bay with an indented on-street parking bay. 1no. parking space and a build-out of the footpath demarcating the eastern end of the bay would be located across the site frontage. As set out in Section 6.4.6.2.4.4 of Chapter 6 of the EIAR submitted for the CBC scheme, the works result in an overall reduction of 35 Pay & Display parking spaces along Emmet Road, however the section

adjacent to the site between Myra Close / Luby Road and South Circular Road would see a net gain of 17 spaces

- Appendix 5 of the Dublin City Development Plan 2022-2028 states that vehicle 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. In addition, the vehicular opening shall be at least 2.5metres or at most 3 metres in width and shall not have outward opening gates
- Policy SMT25 of Dublin City Development Plan 2022-2028 seeks 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. Section 8.5.7 states that 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. In addition, Appendix 5, Section 4.1 states that there will be a presumption against the removal of on-street parking spaces to facilitate the provision of vehicular entrances to single dwellings.
- The report recommends permission be refused as the proposed vehicular entrance would result in unsafe vehicular access and removal of on-street parking, and therefore conflict with the policies and guidance of Appendix 5 and Section 8.5.7 of the City Development Plan. Permission should be refused on this basis.

3.3. Prescribed Bodies

None on file

3.4. Third Party Observations

None on file

4.0 Planning History

4.1 There is one application relevant to this case as follows:

- An Coimisiun Pleanala HA29S.314056 - Liffey Valley to City Centre Core Bus Corridor Scheme granted permission. 19th December 2023

5.0 Policy Context

5.1 *Development Plan*

5.1.1 The Dublin City Development Plan 2022-2028 is the statutory development plan in force in the area at present.

5.1.2 Under that Plan, the site is zoned as ‘Sustainable Residential Neighbourhoods – Z1 with a land use zoning objective *‘to protect, provide and improve residential amenities’*

5.1.3 Policy SMT25 seeks 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. Section 8.5.7 states that 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.

5.1.4 Policy SMT2 of the Dublin City Development Plan 2022-2028 refers to ‘Decarbonising Transport’ the objective of which is *To support the decarbonising of motorised transport and facilitate the rollout of alternative low emission fuel infrastructure, prioritising electric vehicle (EV) infrastructure*

5.1.5 Volume 2, Appendix 5 Transport and Mobility: Technical Requirements

- Section 4.1 states that there will be a presumption against the removal of on-street parking spaces to facilitate the provision of vehicular entrances to single dwellings.
- Section 4.3 ‘Parking in Front Gardens’: states that: ‘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': states that: 'Vehicular entrances shall be designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians'. It is stated in this section that a vehicular opening for a single residential dwelling shall be 'at least 2.5 metres or at most 3 metres in width and shall not have outward opening gates'. 'The basic dimensions to accommodate the footprint of a car within a front garden are 3 metres by 5 metres. It is essential that there is also adequate space to allow for manoeuvring and circulation between the front boundary and the front of the building.'

5.3. Natural Heritage Designations

- The Royal Canal pNHA (Site Code 002140) is located 300 metres to the south of the site
- The South Dublin Bay and River Tolka SPA (Site Code 004024) is located 8.6km to the east of the site
- Bull Island SPA (Site Code 004006) is located 10km to the north east of the site

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 & Development Regulations 2001, as amended. 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

7.1.1 A first party appeal was lodged on the 16th October 2025. The appeal in summary raises the following issues;

- That the proposal complies with Appendix 5 of the Dublin City Development Plan 2022-2028.
- That there is no kerbside parking space designated in front of where the proposed entrance is to be located.
- The adjacent development at 8-16 Emmet Road has vehicular entrances into each property.
- That the applicant did attempt to engage in a pre-planning process.
- That the proposal will not reduce the number of car parking spaces on Emmet Road and the proposal is will not impact upon the upcoming City Centre Core Bus Corridor.
- That refusing permission is contrary to the Climate Action Plan 2021 which seeks to electrify the car fleet and hence this refusal will prevent the appellant from owning an electric car.

7.3. Planning Authority Response

None received

7.4. Observations

None Received

8.0 Assessment

8.1. I have examined the application details and all other documentation on file and I have inspected the site and have had regard to relevant local development plan policies and guidance.

8.1.2 I am satisfied the substantive issues arising from the grounds of this third party appeal relate to the following matters;

- Principle of Proposed Development/Development Plan Policy
- Traffic Safety
- Other Issues

8.2 Principle of Proposed Development/Development Plan Policy

- 8.2.1 The proposed development site is located within an area designated in the Dublin City Development Plan 2022-2028 (hereunder referred to as the plan) with zoning objective Z1 Sustainable Residential Neighbourhoods, which seeks *'to protect, provide and improve residential amenities'*.
- 8.2.2 Having regard to the above, it is considered that the proposed development which comprises of the construction of a new 2.5 metre wide entrance would not have a negative impact upon the amenities of the area.
- 8.2.3 With respect to the same, I do not consider that the proposal contravenes the zoning objective for the site.
- 8.2.4 The principle issue in question is with respect to Development Plan policy, which in general, is not supportive of new vehicular entrances into front gardens for the purposes of off-street parking in the plan area.
- 8.2.5 Section 4.3 of Volume 2 Appendix 5 the Plan states 'Parking in Front Gardens' clearly states that: *'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.'*
- 8.2.6 I note that the proposed entrance is located to the east of an existing designated kerbside car parking space. There is no space located directly in front of the proposed entrance. The proposed vehicular entrance is to be separate to the existing pedestrian entrance which is to remain in place.
- 8.2.7 I note the report from Transportation Planning (31st July 2025) states that as part of the upcoming City Centre Core Bus Corridor, which is in part, to comprise of Emmet Road, will provide 1 no. parking space and a build-out of the footpath demarcating the eastern end of the bay and which would be located across the site frontage and in front of the proposed car parking space. I have examined the (drawing) sheets associated with the Liffey Valley to the City Centre Core Bus Corridor and I can confirm that there are almost 2 spaces proposed and a build out footpath in front of

the site. The proposal therefore will impact on these two spaces and potentially the build out.

- 8.2.8 Policy SMT25 seeks *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*
- 8.2.9 It is clear therefore that development plan policy does not favour the provision of vehicular entrances to single dwellings in residential areas. On street car parking is not just for residents it's for all road users including visitors.
- 8.2.8 On the day of the site visit, all of the designated kerbside parking spaces along the south side of Emmet Road in front of the terrace which the site forms part of were filled.
- 8.2.9 It is clear therefore that there is a requirement for kerbside spaces. The proposal will result in the potential loss of two kerbside spaces to be constructed as part of the City Centre Core Bus Corridor.
- 8.2.10 Section 4.1 of Volume 2, Appendix 5 the Plan¹ refers to 'On Street Parking' and states that: *'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.'*
- 8.2.13 It is considered that residents are reliant on on-street car parking at this location and therefore there is a presumption against the provision of vehicular entrances.
- 8.2.14 Having regard to the foregoing therefore I would consider that the principle of the proposed entrance is not acceptable at this location as it would result in the potential loss of two spaces to be constructed on the street along the site frontage as part of

¹ Page 255 of Volume 2 of the Dublin City Development Plan 2022-2028

the City Centre Core Bus Corridor. The proposal would therefore be contrary to Policy SMT25, and Section 4.1 of Volume 2, Appendix 5.

8.3 Traffic Safety

- 8.3.1 The proposed development includes for the provision of a single vehicular space within the curtilage of the property measuring 5m x 3m. No room within the property has been made available for manoeuvring the vehicle - the level area within the site is just 5m x 3m.
- 8.3.2 Volume 2, Appendix 5 Section 4.3.1 of the Plan refers to *'Dimensions and Surfacing'* and states that: *'Vehicular entrances shall be designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians'*. It is stated in this section that a vehicular opening for a single residential dwelling shall be *'at least 2.5 metres or at most 3 metres in width and shall not have outward opening gates'*. *'The basic dimensions to accommodate the footprint of a car within a front garden are 3 metres by 5 metres. It is essential that there is also adequate space to allow for manoeuvring and circulation between the front boundary and the front of the building.'*
- 8.3.3 While a space of 5m x 3m has been provided within the curtilage of the site, no room within the property has been made available for manoeuvring as is required under Section 4.3.1
- 8.3.4 Vehicles having to back into the space from a busy road which would be considered to be a difficult turning manoeuvre, or worse backing the car out onto a busy road where there is to be a bus corridor as part of the upcoming City Centre Core Bus Corridor. There is also to be a parking space located in front of the proposed entrance as per the Liffey Valley to City Centre Core Bus Corridor Scheme which will prevent access and exit to the space.
- 8.3.5 The proposal is therefore contrary to Section 4.3.1 of the statutory plan which states that: *'Vehicular entrances shall be designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians'*. Notwithstanding the traffic safety issue associated with the proposal, the car parking spaces which are to be constructed along the frontage of the site as part of the Bus Corridor Scheme will prevent access

and egress to the site and therefore parking within the curtilage of the site is therefore not possible and thus no traffic safety issues arise in this scenario.

8.4 Other Issues

8.4.1 Policy SMT2 of the Dublin City Development Plan 2022-2028 refers to 'Decarbonising Transport' the objective of which is *To support the decarbonising of motorised transport and facilitate the rollout of alternative low emission fuel infrastructure, prioritising electric vehicle (EV) infrastructure*

8.4.2 The appeal infers that the proposed car parking space within the curtilage of the proposed development site is for the purposes of installing an EV charger.

8.4.3 While the same is noted, and while there is merit in the provision of private EV chargers within private curtilages, I do not consider that the provision of the same should prioritise over the loss of car parking spaces on the street or issues with respect to traffic and pedestrian safety.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

9.2 The subject site is located

- 8.6km to the west of the South Dublin Bay and River Tolka SPA (Site Code 004024)
- 10km to the south west of the Bull Island SPA (Site Code 004006)

9.3 The proposed development comprises of the construction of a new vehicular entrance in an urban area. No nature conservation concerns were raised in the planning appeal.

9.4 Having considered the nature, scale and location of the project, and its location in a suburban area, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site

9.5 The reason for this conclusion is as follows:

- The relatively small scale nature of the works proposed
- The lack thereof of any hydrological connection from the proposed development to the Natura 2000 site.
- Having regard to the screening report/determination carried out by the Planning Authority

9.6 I conclude that 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 (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 300m to the south of the Royal Canal which is a proposed NHA.

10.2 The proposed development comprises of a new vehicular entrance

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

10.4 I have assessed the 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 & 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 either qualitatively or quantitatively.

10.5 The reason for this conclusion is as follows [insert as relevant]:

- The minor scope of the works and nature of the development

- The 300m distance to the nearest water body and the lack of hydrological connections to the same.

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 permission be refused for the following reasons:

1. The Commission is not satisfied that the proposed vehicular entrance would provide safe access and egress, due to its conflict with the future provision of a parking bay of two spaces and a footpath build-out as permitted under the 'Liffey Valley to City Centre' Core Bus Corridor scheme. The proposed entrance would require removal or alteration of part of this bay, resulting in the loss of an on-street parking spaces. This would contravene Appendix 5 and Policy SMT25 Section 8.5.7 of the Dublin City Development Plan 2022–2028, where there will be a presumption against the removal of on-street parking spaces to facilitate the provision of private vehicular entrances to single dwellings in predominantly residential areas. The proposed development would therefore set an undesirable precedent for other similar developments 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.

Andrew Hersey
Planning Inspector

16th December 2025

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL500110-DS
Proposed Development Summary	New Entrance
Development Address	18 Emmet Road, Dublin 8
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
<p>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</p> <hr/> <p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - 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 <u>Part 1</u>, 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 <u>Part 2</u>, 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

Inspector: _____

Date: _____