



An
Coimisiún
Pleanála

Inspector's Report

PL500773-DS

Development

The development will consist of a new 2.6m wide vehicular access to provide one off street parking space with new vehicular entrance gates to match existing railing, finished driveway

Location

8 Camac Terrace, Kilmainham Dublin 8,
D08 A4XF

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

WEB5717/25

Applicant(s)

Hugh Connor

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Hugh Connor

Observer(s)

None

Date of Site Inspection

2nd April 2026

Inspector

Andrew Hersey

1.0 Site Location and Description

- 1.1 The site is located at 8 Camac Terrace, Kilmainham Dublin 8. The site comprises of a mid terrace dwelling with enclosed front garden and gated pedestrian entrance
- 1.2 There is a designated kerbside parking along the roadside in front of the property
- 1.3 The adjacent house in the terrace, No. 9, has off road parking within the curtilage of the site.

2.0 Proposed Development

- 2.1 The proposed development is for the provision of a 2.6 metre wide vehicular entrance to the front of the property though it is noted that the drawings show for a wider entrance of 2.887m
- 2.2 Drawings submitted with the application show for a single car parking space within the confines of the site (stated as being 2.887m x 5.022m) The remainder of the area is to remain as amenity space.
- 2.3 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:

Having regard to the Dublin City Development Plan 2022-2028, it is considered that the proposed development, which would result in the removal of on-street parking spaces on Kilmainham Lane to accommodate a private vehicular entrance, would be contrary to Policy SMT25, Section 8.5.7 and Appendix 5, Section 4.1 (On Street Parking) of the development plan where 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. The proposed development would set an undesirable precedent for similar developments and would, therefore, 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;

- The proposal is consistent with the site's Z1 Land Use Zoning Objective.
- That the majority of dwellings along the road have retained their enclosed front gardens, with the exception of the adjoining property at No. 9, which has a vehicular entrance permitted under Planning Register Reference 2829/08 in accordance with a previous development plan for the area.
- That the Transportation Planning Division (TPD) have stated that the proposal would result in the removal of existing pay and display kerbside parking in front of the property and is therefore contrary to Policy SMT25 of the City Development Plan.
- It was acknowledged by the case planner that the proposed 3 m × 5 m off-street parking space complies with the relevant guidance set out in Appendix 5 of the City Development Plan 2022–2028. However, the principle of providing off-street parking in this instance was not considered acceptable, due to the resulting loss of on-street parking in a high-demand area along Kilmainham Lane
- The report states that the removal of on street parking to facilitate a private vehicular entrance for a single dwelling is contrary to the Development Plan 2022-2028, Policy SMT25, Section 8.5.7 and Appendix 5, Section 4.1
- The report concludes 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. Having regard to the zoning objective for the area, pattern of development in the area and the nature and scale of the proposed development, it is considered that the proposal would be contrary to the relevant guidance set out in Policy SMT25, Section 8.5.7 and Appendix 5, Section 4.1 of the Dublin City Development Plan 2022- 2028 and would therefore be contrary to the proper planning and sustainable development of the area

3.1.3 Other Technical Reports

- Drainage– no objection subject to conditions
- Transportation Planning (2nd January 2026) states the following that
 - The proposed vehicular access is not acceptable, as it would result in the loss of on-street parking on Kilmainham Lane, The facilitation of a vehicular access at this location would have a direct and adverse impact on the availability of on-street parking in a high-demand area.
 - It is acknowledged that the proposed 3.0m X 5.0m off-street parking space within the front curtilage meets the minimum dimensional standards for car parking spaces.
 - That the department would not support a vehicular entrance at this location, having regard to the high demand for on-street parking and the resultant loss of Pay & Display parking
 - The proposed vehicular entrance would, when allowing for associated dishing of footpath and kerb and setback to parking bays, result in the removal of 1 to 2 no. on-street car parking spaces on Kilmainham lane. On street parking on Kilmainham lane serves local residents as well as visitors. The removal of on street parking to facilitate a vehicular entrance for a single dwelling is contrary to the Development Plan 2022-2028, Policy SMT25, Section 8.5.7 and appendix 5, Section 4.1.
 - The department recommends that permission be refused.

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: Adjacent house No. 9 Camac Terrace granted permission for a vehicular entrance under Planning Reg. Ref. 2829/08

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 Grand Canal pNHA (Site Code 002104) is located 700 metres to the south of the site
- The South Dublin Bay and River Tolka SPA (Site Code 004024) is located 7.3km to the north east of the site
- Bull Island SPA (Site Code 004006) is located 8km 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 11th February 2026. The appeal in summary raises the following issues;

- That the applicant is a taxi driver and that he must upgrade to an electric vehicle in order to comply with mandatory requirements.
- That the two way traffic on the lane has resulted in damage being caused to the appellants vehicle.
- That parking within the curtilage of the front garden will enable the appellant to connect to a home charger.
- There are only 4 public EV charging points in Dublin 8.
- A disabled parking bay on the street has been removed by Dublin City Council and replaced with a Pay & Display space, thereby providing one additional public parking space. This effectively offsets the space required for the proposed vehicular access.
- The appeal includes for a letter of support from a local councillor

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 vehicular access to the front garden of the proposed development site and the creation of a parking space within the same 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 in front of and to the south of an existing designated kerbside Pay & Display car parking spaces. 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 (dated 2nd January) which states that when allowing for associated dishing of footpath and kerb and setback to parking bays, result in the removal of 1 to 2 no. on-street car parking spaces on Kilmainham lane. On street parking on Kilmainham lane serves local residents as well as visitors. The report also states that on-street car parking at this location is in high demand

- 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 Kilmainham Lane, 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 one to two kerbside spaces as verified in the report from the Transportation Planning Department of Dublin City Council.
- 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 On the basis of my site inspection and having regard to the report on file from Transportation Planning, 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 up to two existing Pay & Display parking spaces The proposal would therefore be contrary to Policy SMT25, and Section 4.1 of Volume 2, Appendix 5.

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

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 5.022m x 3.804m (which includes for hard surface associated with the pedestrian entrance). I note that the vehicular entrance measures 2.887 metres in width, which differs from the development description seeking permission for an entrance width of 2.6 metres. However, I consider this discrepancy to be immaterial and not prejudicial to the assessment of the application.
- 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 gate. The basic dimensions to accommodate the footprint of a car within a front garden are 3 metres by 5 metres.'*
- 8.3.3 A space of over 5m x 3m has been provided within the curtilage of the site which is considered acceptable
- 8.3.4 The appellant is a taxi driver and states that his vehicle, which is parked on the avenue, has sustained damage from passing traffic over a number of years. This is attributed to two-way traffic operating along a narrow carriageway, and is cited as the basis for seeking parking within the curtilage of his property. While this is noted, I consider the matter to be one of traffic management rather than a planning issue, and it should not be given undue weight in the overall assessment.

8.4 Other Issues

- 8.4.1 The appellant, as part of the proposal wishes to install an EV charger and therefore requires parking in the front garden for the purposes of charging the car. The appellant is a taxi driver and that it is stated that it is a mandatory requirement that he convert to sustainable transport means.

- 8.4.2 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.

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
- 7.3km to the southwest of the South Dublin Bay and River Tolka SPA (Site Code 004024)
 - 8km 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 Camac River is located directly to the rear of the site which outfalls to the River Liffey near Heuston Station
- 10.2 The proposed development consists of a new vehicular entrance and associated landscaping works within the front garden. Surface water from hardstanding areas will be managed using SuDS methodology. The works are located approximately 12 metres from the river and are separated from it by the existing footprint of the house.
- 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 distance to the nearest water body, the Camac River, 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 proposed development, which would involve the removal of on-street parking spaces along Kilmainham Lane to facilitate a private vehicular entrance, would conflict with Policy SMT25, Section 8.5.7, and Appendix 5, Section 4.1 (On-Street Parking) of the Dublin City Development Plan 2022–2028. These provisions establish a presumption against the removal of on-street parking to provide vehicular access to single dwellings in predominantly residential areas. As such, the proposal would set an undesirable precedent for 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way

Andrew Hersey
Planning Inspector

29th April 2025

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL500773-DS-26
Proposed Development Summary	New Entrance
Development Address	8 Camac Terrace, 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	
<p>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?</p>	

<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: _____