



An
Coimisiún
Pleanála

Inspector's Report

PL-501299-DR-26

Development	Removal of a section of the existing front boundary wall and railings for vehicular access and parking with associated works.
Location	3 Mosaphir Terrace, Corrig Road, Dun Laoghaire, Co. Dublin, A96XH02
Planning Authority	Dun Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D26A/0108
Applicant(s)	Martina and Neil Carroll
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Martina and Neil Carroll
Observer(s)	None
Date of Site Inspection	13 th July 2026

Inspector

Barry Diamond

Contents

1.0	Site Location and Description	4
2.0	Proposed Development	4
3.0	Planning Authority Decision.....	4
4.0	Planning History	7
5.0	Policy Context.....	9
6.0	EIA Screening.....	10
7.0	The Appeal	11
8.0	Assessment.....	15
9.0	AA Screening.....	20
10.0	Water Framework Directive	20
11.0	Recommendation	21
12.0	Reasons and Considerations	21

Appendix 1 –EIA Screening

1.0 Site Location and Description

- 1.1. The application site comprises an existing end terrace Georgian dwelling which is set to one end of a row of three townhouses. The existing dwelling is two storey in height with a basement level and has a render finish. Amenity areas are located to the front and the rear of the property.
- 1.2. The front garden area is defined along the roadside by a cut stone plinth wall with wrought iron railings above with a privet hedge set to the rear and a single pedestrian access. A 1 metre high wall defines the boundary with Mosaphir Cottage to the east and a 2 metre high hedge defines the boundary with No. 2 Mosaphir Terrace to the west. The front garden area of the application site is made up of hardstanding which includes areas of permeable and impermeable ground coverings.
- 1.3. The rear amenity area contains 2No. patio areas, an outbuilding and a garden area and has a wide gated entrance which accesses a private shared laneway which accesses onto Clarinda Park West.
- 1.4. The surrounding area is defined by a variety of residential properties with some open space areas.

2.0 Proposed Development

The proposed development comprises a new vehicular access to accommodate off-street parking, which requires the removal of a section of the existing front boundary wall and railings and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

On the 9th April 2026 the Planning Authority issued a decision to refuse planning permission for the following reason;

1. The proposal to create a new vehicular access to accommodate off-street parking within the front site of No. 3 Mosaphir Terrace would have an adverse negative impact on the character and appearance of the Clarinda Park Architectural Conservation Area. The proposed development therefore fails to comply with section

11.4.2.1 Policy HER13 Architectural Conservation Areas of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, which seeks to 'Protect the character and special interest of an area which has been designated as an Architectural Conservation Area'. The proposed development would set an undesired precedent and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the planner reflects the decision to refuse planning permission. It includes the following points:

- Two previous planning applications Ref's: D05/0793 and D07A/0328 were refused by the Planning Authority on transport planning and conservation/heritage grounds with the latter application being appealed (PL06D:223548) with the appeal being upheld on transportation planning reasons;
- The Conservation Section state that the proposal fails to correspond with Policy HER 13 given the rear site vehicular access;
- Given the surrounding context including the number of protected structures, including the two houses on the same terrace which have pedestrian gates and the property opposite, the proposed development will have a negative impact on the Clarinda Park ACA;
- The limited number of houses close by which have front entrances have larger side and front parking areas, however, most houses have only pedestrian entrances;
- A vehicular entrance was relocated away from the Corrig Road at 'Hazeldene' under application Ref: D19A/0351 and ABP-305139-19;
- Section 12.4.8.3 requires a minimum of one third of the front garden area to be maintained as grass or landscaped;
- SPPR 3 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024 seeks to reduce or eliminate parking in urban neighbourhoods. The site is within a ZONE 2 parking area with the

nearest bus service being 200 metres away and the Sandycove DART station being 650 metres away;

- The access would be significantly out of character with the historic pattern of front boundary treatment in Mosaphir Terrace and the ACA;
- The property is noted to have available parking to the rear which is accessed off a rear lane;
- The Transportation Planning Section requires a revised Swept Path Analysis given the one submitted has deficiencies and requires additional information.
- The proposal does not lead to any significant concerns in relation to Appropriate Assessment and Environmental Impact Assessment.

3.2.2. Other Technical Reports

Transportation Planning Section: Further information is required - The applicant shall submit revised drawings and details which demonstrate, using a Computer Aided Design (CAD) software such as Autoturn or similar computerised design software, the Swept Path Analysis of a vehicle with a standard dimension accessing/egressing the proposed vehicular entrance in a forward gear and making the required turning movement. The drawing shall account for the following items:

- The specification and dimensions of the vehicle model used in the analysis;
- Forward and reverse tracking of a vehicle driving in a forward gear from Corrig Road, entering the proposed vehicular entrance into the proposed car parking space, and proceed to drive out in a forward gear onto Corrig Road. The required turning movement shall occur only within the proposed driveway/hardstanding area and shall not encroach upon the landscaped area/stairs/edge of the drop-off to the below ground level; and
- A minimum of one third of the front garden area shall be maintained in grass or landscaped in the interest of urban greening and SUDS in accordance with Section 12.4.8.3 Driveways/Hard standing Areas of the county development plan 2022-2028.

Conservation Division Report – states that a new vehicular access to accommodate off-street parking within the front site of No. 3 Mosaphir Terrace would have an

adverse negative impact on the character and appearance of the Clarinda Park Architectural Conservation Area.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

There were no representations received during the processing of the application by the Planning Authority.

4.0 Planning History

Site

D07A/0328 & PL06D.223548 - Permission was refused at appeal for a new vehicular access and off-street car parking to front garden of No. 3, Mosaphir Terrace, Dun Laoghaire, Co Dublin.

'It is considered that the proposed development would increase traffic turning movements on Corrig Road, a heavily trafficked road, giving rise to traffic hazard and obstruction of the free flow of traffic thereon. The proposed development, would therefore, be contrary to the proper planning and sustainable development of the area.'

D05A/0793 - Permission was refused by the Planning Authority in August 2005 for; A) Proposed carparking to front garden with vehicular access off Corrig Road with matching railed gates/piers. (B) Infill extensions to rear consisting of single storey (west) and glazed conservatory/mezzanine over garden level. (C) To replace existing garage on private road to rear with mews style double garage with pedestrian access. Playroom over garage on mezzanine level for private use all to rear at No. 3, Mosaphir Terrace, Corrig Road, Dun Laoghaire, Co. Dublin

1. The proposed 2-storey mews building would seriously injure the amenities and depreciate the value of residential property in the vicinity by way of overlooking (actual and perceived), invasion of privacy and visual intrusion.

2. The proposed rear extension would obscure a façade of architectural importance and would be out of character with the design of the existing building.

3. Proposed vehicular entrance would seriously detract from the character of the property and from properties in the vicinity. It would seriously injure the character of the proposed Architectural Conservation Area at Crosthwaite Park, which faces the proposed entrance and is within c.11m thereof. The proposed entrance would set precedent for similar entrances with a cumulative negative visual impact.
4. The level of off-street car parking proposed on site is excessive given that vehicular access and car parking is already available to the rear and given that application site is ideally located to take advantage of other sustainable modes of transport such as walking, cycling, bus and DART. The proposed level of car parking would therefore not accord with DTO strategy.
5. The applicant has not demonstrated that the proposed vehicular entrance and parking / turning area is sufficient to enable vehicular access and egress to take place in a forward gear. The proposed vehicular entrance onto Corrig Road would therefore constitute a traffic hazard.

Setting

D19A/0351 & ABP-305139-19 - Permission was granted on appeal for the removal of existing single storey extensions to side and rear of existing dwelling; new vehicular access to side on Clarinda Park West Road; new pedestrian gate to front elevation boundary wall facing Corrig Road; construction of a two storey extension to side and rear of existing dwelling to east elevation; construction of single storey extension to west and rear elevation; revision to main roof height to accommodate attic conversion and two dormers to rear elevation; velux roof light to rear elevation; internal alterations to existing floor plans to accommodate disability access; integrated garage to rear with temporary 'granny flat' accommodation above and all associated site works at Hazeldene, Corrig Road, Dún Laoghaire, Co. Dublin A96 PF76.

D08A/0600 & PL06D.230452 – Planning permission was refused for the development will consist of the construction of a two storey 4 bed detached mews with vehicular access from Clarinda Park West with ancillary on and off site development works at lands to the rear (An Architectural Conservation Area) at Hazeldene, Corrig Road, Dun Laoghaire.

1. The proposed dwelling by reason of its design, roof form, height and position would be overly dominant and intrusive, would seriously injure the character and

setting of the adjacent terrace to the north, which is a Protected Structure, and would detract from the visual amenity of the streetscape and Architectural Conservation Area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed vehicular entrances would be out of character in the area, and would, by reason of the additional traffic turning movements generated in close proximity to a junction, result in traffic congestion and traffic hazard.

D07B/0825 – Permission was refused by the Planning Authority for the construction of a first floor and attic extension, with a hipped roof, on top of the existing flat roof, to the side and rear of the existing house. There will be some modifications to the ground floor including a new door and window to the side and a new door and window to the front elevation. Also the construction of a 1,800mm high garden wall to the side of Moyville, Corrig Road, Dun Laoghaire, Co. Dublin

1. It is considered that the proposed extension, by reason of its excessive height and unsympathetic design will detrimentally impact on the streetscape of the area. It is also considered that the proposed extension will be visually obtrusive from adjoining dwellings. The proposed development would, therefore, seriously injure the amenities of the area and of property in the vicinity and, would be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. Development Plan

The relevant Development Plan is the Dun Laoghaire Rathdown County Development Plan 2022-2028. The site is zoned 'A' with the objective to provide residential development and improve residential amenity while protecting the existing residential amenities. Residential development, including alterations to existing dwellings, is permitted in principle under this zoning.

Chapter 3 Climate Action

Section 3.4 Achieving Sustainable Planning Outcomes

Chapter 4 Neighbourhood – People, Homes and Place

Section 4.3.1.2 Policy Objective PHP19 – Existing Housing Stock – Adaptation

Chapter 11 (Heritage)

Section 11.4.2.1 Policy Objective HER13: Architectural Conservation Areas -

Protect the character and special interest of an area which has been designated as an Architectural Conservation Area (ACA). Please refer to Appendix 4 for a full list of ACAs. Seek the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture

Section 11.4.2.2 Policy Objective HER14: Demolition within an ACA - It is a Policy Objective to prohibit the demolition of a structure(s) that positively contributes to the character of the ACA.

Chapter 12 (Development Management)

Section 12.4.8 - Vehicular Entrances and Hardstanding Areas

Section 12.4.8.2 - Visual and Physical Impacts

Section 12.4.8.1 – General Specifications

Section 12.4.8.3 – Driveways/Hardstanding Areas.

5.2. Relevant National or Regional Policy / Ministerial Guidelines

Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024.

5.3. Natural Heritage Designations

The appeal site is not located on or within proximity to any designated Natura 2000 site. The subject site is situated c. 1.54km to the southeast of the South Dublin Bay SAC (site code SAC 000210) and the South Dublin Bay and River Tolka SPA (site code SPA 004024). The is also situated c. 0.57km to the southwest of the Dalkey Coastal Zone and Killiney Hill pNHA (site code pNHA 001206).

6.0 EIA Screening

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. No requirement for EIA therefore arises and there is also no

requirement for a screening determination. Refer to Form 1 in Appendix 1 of my report.

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal are submitted by Mary Donohoe Architects on behalf of the applicant, which states:

- Permission was granted in 2001 for off-street parking (Ref: D01A/0070) for a neighbouring dwelling (Mosaphir Cottage) which provides parking for 3-4 vehicles;
- Section 11.4.2.1 refers to an ACA as containing groupings of buildings and associated spaces which is consistent with Clarinda Park, however, Mosaphir Terrace fronts onto a main road with no associated open spaces;
- Mosaphir Terrace is not part of a large formal terrace and consists of only three houses and is quite removed from Clarinda Park with no rationale as to why it is included in the ACA and is not referred to in the ACA designation;
- There is no cohesive rhythm in the diverse make up of the elevations on the streetscape of Mosaphir Terrace and it does not read with Clarinda Park;
- A precedent has already been set by allowing a vehicular entrance to Mosaphir Cottage under Ref: D01A/0070;
- A precedent cannot be set in Clarinda Park as vehicular entrances are not possible there due to the limited front garden areas;
- A precedent has been set in the nearby Crosthwaite Park ACA at No. 18 Crosthwaite Park South under D10A/0275 and at No. 8 Crosthwaite Park South under D22A/0003 where a vehicular entrance was deemed not to detract from the character or setting of the ACA;
- A mechanically operated car turntable is proposed to ensure a vehicle can access and egress the site in forward gear and the access is for the use of only one car;
- The laneway to the rear is not feasible as it is a heavy communal steel gate which is difficult for the applicants to operate and the laneway is often blocked

by other residents. The laneway is not a through road and has only one access/egress point;

- While the applicants often avail of public transport this is not always feasible due to weather, practicalities of age, distance and managing pets along a busy road;
- There is no safe convenient on-street parking available to the applicants;
- The proposal consists of a minor intervention in an already inconsistent boundary treatment along Mosaphir Terrace;
- The requirement for one third of the front garden area to be maintained in grass is not feasible in this instance and out of the entire Clarinda Park and Crosthwaite Park ACA's only No. 10 Clarinda Park and No. 3 Crosthwaite Park South had a minimum of one third grass; and
- A compromise is proposed to extend the existing pedestrian entrance rather than create two entrances and reduce the width from 3.4 metres to 3 metres which matches the immediately adjoining neighbouring access (Mosaphir Cottage).

7.2. Planning Authority Response

7.2.1 It is still considered that the subject proposal (located in an ACA) is not acceptable. This is primarily with regard to the reason for refusal as detailed within the Conservation Sections report.

7.2.2 There is various further information requested by the Transportation Planning Section report (which was not requested by the Planning Authority) which is similar to the Further Information requests under Reg. Ref. D07A/0328 (ABP file no. PL06D.223548) regarding parking/turning movements which were upheld at appeal under Ref: PL06D.223548;

7.2.3 Under Ref: D05A/0793 (at that time the subject property was not located in an ACA), concerns were raised by the Transportation Planning Section, which had requested Further Information, querying the practicality of entering and exiting the site in a forward gear. Also, the Planner's report under D05A/0793 had considered that the subject application site '...is ideally located to take advantage of other sustainable modes of transport such as walking, cycling, bus and DART.' and that the proposal would not have accorded with the then DTO (Dublin Transportation Office) policy

that: '...parking policies and standards should promote the use of sustainable modes of transport, so providing a competitive advantage for public transport.'

- 7.2.4 The location is close to Dun Laoghaire town centre, and also generally close to modes of public transport (buses quite close by, and Sandycove/ Glasthule, and Dun Laoghaire DART stations), and that the similar modern planning/ transport/ parking policy provisions of - SPPR3 of the Compact Settlement Guidelines, 2024 - are even more applicable now to the subject site than under the previous refusal;
- 7.2.5 The Corrig Road is still heavily trafficked, particularly at peak times.
- 7.2.6 Notwithstanding the parking/ turning movements drawing included in D26A/0207 that the Transportation Planning report had again (as under D05A/0793 that had also included a car turning movements drawing) requested Further Information items for swept path turning movements (and now also to show one-third landscaping area).
- 7.2.7 The site is now located in an ACA (it was only a proposed ACA previously in 2007 and was not a proposed ACA location in the earlier 2005 application).
- 7.2.8 It is also observed that the few closest adjacent house properties with front curtilage car parking onto Corrig Road, have larger fronts and/ or with side curtilage areas for turning movements compared to the subject site.
- 7.2.9 A grant in this instance may help to set a negative precedent for further similar applications in surrounding sites onto the busy Corrig Road e.g. adjoining terraced houses, and/ or to ACA located properties, and/ or to Protected Structure properties.
- 7.2.10 There is also potential for some car access and parking to the rear, notwithstanding the applicant's submission stating it is not feasible (regards stated lack of convenience/ ease of access due to the stated issues of the locking of the gate, the gate weight and lane narrowness, etc.).
- 7.2.11 Regards the now modified (for appeal) access and parking with gateway reduced down to 3m width, relocated to beside a modified existing pedestrian gate - and the change to include a Car Parking Turntable is still considered not acceptable, for both the Planning Authority's ACA based reason for refusal and also noting the Transportation Planning parking related concerns.
- 7.2.12 Regarding the alternative mechanically operated Car Parking Turntable, the DLRCC section (verbal report) have noted that they do not consider a turntable as an

acceptable solution (including due to maintenance that cannot be guaranteed for its ongoing operation).

- 7.2.13 It is separately noted that the apparent example turntable located nearby at No. 5 Summerhill, Glashthule did not appear to show a turntable under its submitted details for the addition of a vehicular entrance beside a pedestrian entrance, under Ref. No. D20A/0729, but notably that that front curtilage is significantly more expansive overall compared to the appeal property.
- 7.2.14 A grant for the subject current proposal (and the appeal modified proposed access down to 3m width, adjacent to the existing pedestrian gate to be replaced with indicated fixed railings, and with a Car Parking Turntable) would still appear to contradict the reason(s) for refusal for similar front vehicular entrance and car parking proposals refused in the current planning application D26A/0108 and under the 2005, and 2007 above stated applications.
- 7.2.15 If permission is granted then specific conditions are proposed. The non-standard conditions include:
2. The proposed gateway masonry piers shall be reduced in height to 1.1m, (if 'wrought Iron' style posts matching existing not used instead) and otherwise to match in form and finishes the gate pillars of Mosaphir Cottage adjacent, and existing railings maintained on either side, and any vehicular entrance gates to have a railing design to match existing (and any gates not to be backed with solid panels/hoarding/sheet metal/ planks/ screening material).

REASON: In the interest of orderly development.

3. Any proposed gates shall be inward opening and not automatic gates (in accordance with Section 12.4.8.1 of the current DLRCC County Development Plan 2022-2028). REASON: In the interest of orderly development.

4. The footpath in front of the proposed widened vehicular entrance shall be dished and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks /chamber covers and all to the satisfaction of the appropriate utility company and Planning Authority. With regards to the dishing and strengthening of the footpath the applicants shall contact the Road Maintenance & Roads Control Sections to ascertain the required specifications for such works and any required permits. REASON: In the interest of orderly development.

5. (a) A maximum of 1No. car parking space shall be provided to serve the dwelling house. (b) A minimum of one-third of the front curtilage shall be maintained in grass or landscaped. (c) The proposed car parking space shall have a minimum length of 5.5 metres depth to ensure the parked car does not overhang onto the existing public footway, and a minimum width of 3 metres to allow for clearance from nearby wall/steps/boundary (in accordance with Section 12.4.8.1 Vehicular Entrances and Hardstanding Areas of the current DLRCC County Development Plan 2022-2028). If gravel is proposed for the parking/hardstanding area, then it shall be contained in such a way to ensure that it does not transfer onto the public footpath/road (on road safety grounds). REASON: In the interests of clarity and of orderly development.

7.3. **Observations**

None

8.0 **Assessment**

8.1 Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Architectural Conservation Area
- Road Safety

8.2 **Principle of Development**

8.2.1 The site is located on lands which are subject to 'Existing Residential (A)' under the Development Plan, the objective of which is "to provide residential development and improve residential amenity while protecting the existing residential amenities." I also note that the Dun Laoghaire Rathdown County Development Plan 2022-2028 is supportive of residential related development. In this regard a new vehicular access would be permissible subject to issues of design, impact on character, road safety, parking and other relevant factors including the sites location within the Clarinda Park ACA.

8.3 Architectural Conservation Area

- 8.3.1 The application site is set within the Clarinda Park ACA which comprises a residential area of mixed typology. The ACA is made up of a number of streets including Clarinda Park East, Clarinda Park West, Clarinda Park North and a section of the Corrig Road in which the application site is located. The site also abuts Crosthwaite Park ACA which is located to the south of the site and also comprises a section of the Corrig Road.
- 8.3.2 The application site comprises an end of terrace dwelling which fronts onto the Corrig Road and includes a front amenity area which has a depth of 7.3 metres and a frontage of 10.17metres. The site is bounded along the roadside boundary by an existing wrought iron railing with hedging to the rear and is accessed via a pedestrian gate.
- 8.3.3 Policy Objective HER13 of the Development Plan seeks to protect the character and special interest of an area which has been designated as an ACA and seeks the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture. Further policy on the issue of vehicular entrances within ACA's is found at Section 12.4.8.4 of the Development Plan.
- 8.3.4 There are two proposals to consider, the first is the creation of a new 3.4 metre wide vehicular entrance in addition to the existing pedestrian gate which is the proposal that was before the Planning Authority and the second alternative proposal is a widening of the existing pedestrian access to create a 3 metre wide access.
- 8.3.5 Section 12.4.8.4 of the Development Plan states that where there is an existing rear vehicular access, that off street parking will generally not be permitted. The rear of the application dwelling can be accessed via a shared laneway which accesses onto Clarinda Park West. Access to the laneway is controlled by way of a locked gate for which the residents hold a key and the laneway is capable of accommodating vehicular traffic. The rear of the application dwelling has a large garden area and a gated access which is wide enough to accommodate a car.
- 8.3.6 The existing site, which fronts onto the Corrig Road is defined by railings and a hedgerow set to the rear. The dwellings along the section of the Corrig Road in which the application is set is defined primarily by walls, with Mospahir Cottage and No. 2 Mosaphir Terrace which abuts the application site on either side being defined

by railings and hedging. The properties along the remainder of the ACA are primarily defined by railings with no vehicular entrances. Section 12.4.8.4 seeks to retain boundary walls, gate piers, railings and gates as they can have an effect on the setting and appreciation of the building, groups of buildings and the wider streetscape.

8.3.7 Section 12.4.8.4 also states that new or widened vehicular entrances will be resisted in an area characterised predominately by pedestrian entrances. There are eight dwellings within the ACA which have a frontage onto the Corrig Road, the three to the southeast of the application site have vehicular accesses while the application site and the four dwellings to the northwest have pedestrian accesses only. I am of the opinion that the area within the ACA in which the site is located is dominated by pedestrian accesses, as is the remainder of the ACA and therefore the proposal fails this element of the policy and could set a precedent for new vehicular accesses onto the Corrig Road.

8.3.8 I am of the opinion that both the proposal which was before the Planning Authority and the alternative proposal which was submitted as part of the appeal would result in a new vehicular access to the front of the property when there is an available rear access and would new or widened vehicular entrances will be resisted in an area characterised predominately by pedestrian entrances. In this regard, I consider that both proposals would be contrary to Section 12.4.8.4 of the Development Plan.

8.3.9 The visual impact on the setting and appreciation of the building and the wider streetscape is not limited to the simple removal of a portion of the existing boundary treatment to the front of the application site. Certainly, the proposal before the Planning Authority would result in a larger proportion of the front boundary to be removed while the alternative proposal which includes a large vehicle turntable to the front of the dwelling would be an alien feature in the area which would be exposed to public view following the removal of the boundary treatment.

8.3.10 In my opinion both proposals would have a detrimental visual impact on the character and appearance of the ACA contrary to Policy HER 13 and Section 12.4.8.4 of the Development Plan.

8.3.11 I note the appellants reference to a new vehicular access at No. 8 Crosthwaite Park South which was approved by the Planning Authority under Ref: D22A/0003, however, I do not consider that this is relevant to the appeal case as that particular

site is within an area dominated by in-curtilage parking to the fronts of dwellings and does not represent a precedent or inconsistent interpretation of policy in the wider area.

- 8.3.12 The previous appeal on the application site (PL06D.223548) was also raised as significant given that the appeal did not uphold the Council's reasons for refusal on the impact to the ACA, rather the appeal only failed on a road safety issue. I have based my recommendation to the Commission on the basis of the current policy context within the up-to-date Development Plan and I have not been made aware that the policies for assessing new vehicular accesses within the ACA were mirrored in the previously adopted plan relevant at the time of the previous appeal. I therefore do not consider that the previous appeal sets a viable precedent.
- 8.3.13 Other planning history's referenced include D01A0070 and D10A/0275 which again were made in a different Development Plan context and therefore I do not consider them to set a precedent in the appeal case.
- 8.3.14 Section 12.4.8.3 of the Development Plan states that as a minimum one third of the front garden areas should be maintained in grass or landscaped in the interest of urban greening and SUDS. The policy also explains that in the case of smaller properties, such as small terraced dwellings this requirement may be relaxed.
- 8.3.15 The policy in my view aims to protect existing greenery rather than direct applicants to replace hardstanding with new landscaping. Section 12.4.8.4 reinforces this by stating that off-street parking proposals in ACAs must 'retain' soft landscaping. Because the text explicitly focuses on the retention of existing features, the requirement to maintain a minimum of one-third grass cover is only triggered if that greenery is already present on the site. In the subject case the only areas of landscaping are to the roadside and western boundaries with the remaining areas being laid out as areas of hardstanding with some areas of permeable paving. I consider that given the lack of grassed areas on the site at present that both proposals would comply with this element of the policy.
- 8.3.16 I consider that both the proposal which was before the Planning Authority and the alternative proposal are unacceptable given the presumption within Section 12.4.8.4 to resist new vehicular accesses to the front of dwellings where there is available rear access. Additionally, both proposals would result in the loss of a section of the railings to the front of the property, they both would create a new vehicular access in

an area dominated by pedestrian only accesses to the front of dwellings and would set a precedent for further new vehicular accesses onto the Corrig Road. Overall the development would, in my opinion, have a detrimental impact on the character and appearance of the ACA contrary to Policy HER13 of the Development Plan.

8.4 Road Safety

- 8.4.1 The proposal which was before the Planning Authority included a 3.4 metre wide vehicular entrance and the retention of the pedestrian access. Details of auto tracking showing how a car could enter and exit the site in first gear were provided. The Transport Planning Section of the Planning Authority raised concern with the details provided which showed reversing movements over the pedestrian access area and into the landscaped area which was indicated to be retained and a lack of details on the type of car used for the auto tracking.
- 8.4.2 I am of the opinion that there is a conflict in the submitted plans which show the retention of the northwestern landscaped boundary, however, in the auto tracking plan, the car is having to use the landscaped areas as part of the vehicle turning area and the use of a non-defined car in the auto tracking does not give confidence that the manoeuvre can safely be made within the confines of the site and could ultimately result in a car reversing onto the busy Corrig Road. I consider that this proposal would not be acceptable on road safety grounds.
- 8.4.3 The alternative proposal indicates a vehicle turntable of 4.5 metres diameter which in my view would allow for a vehicle to enter and exit the site in front gear onto the Corrig Road. I note the concerns with the maintenance aspects of the turntable which was raised by the Planning Authority, however, the turntable would be entirely located within the curtilage of the property and the maintenance would be under the control of the applicant. Limited details of the turntable have been provided, other than its location as indicated on the submitted block plan, should the Commission be minded to grant planning permission, then a condition requiring a full specification of the turntable should be provided to the Planning Authority prior to development commencing.
- 8.4.4 I consider from a road safety perspective that the alternative proposal would be acceptable, however, for the reasons previously stated, the proposal should be refused due to the impact of the development on the ACA.

9.0 **AA Screening**

- 9.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located at 3 Mosaphir Terrace, Corrig Road, Dun Laoghaire, Co. Dublin, A96XH02 no relevant designated sites are close by.
- 9.2 The proposed development comprises the removal of a section of the existing front boundary wall and railings for vehicular access and parking with associated works. No nature conservation concerns were raised in the planning appeal. 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 European Site.
- 9.3 The reason for this conclusion is as follows:
- Small scale and nature of the development; and
 - Distance from nearest European site and lack of connections.
- 9.4 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. 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 at 3 Mosaphir Terrace, Corrig Road, Dun Laoghaire, Co. Dublin, A96XH02 which is 0.58km metres southwest of the nearest water body.
- 10.2 The proposed development comprises the removal of a section of the existing front boundary wall and railings for vehicular access and parking with associated works. No water deterioration concerns were raised in the planning appeal.

10.3 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. The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development; and
- Distance from nearest water bodies and/or lack of hydrological connections.

10.4 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

That planning permission be refused for the reasons and considerations set out below.

12.0 Reasons and Considerations

The proposal to create a new vehicular access to accommodate off-street parking within the front site of No. 3 Mosaphir Terrace would have an adverse negative impact on the character and appearance of the Clarinda Park Architectural Conservation Area. The proposed development therefore fails to comply with section 11.4.2.1 Policy HER13 Architectural Conservation Areas and Section 12.4.8.4 ACAs/Protected Structures of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 as the application site has an available rear access, the loss of a section of the railings to the front of the property would create a new vehicular access in an area dominated by pedestrian only accesses to the front of dwellings; which collectively would be detrimental to the character and appearance of the

Architectural Conservation Area. The proposed development would set an undesirable precedent 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.

Barry Diamond
Planning Inspector

23rd July 2026

Appendix 1 - Form 1 EIA Pre-Screening

Case Reference	PL-501299-DR-26
Proposed Development Summary	Removal of a section of the existing front boundary wall and railings for vehicular access and parking with associated works
Development Address	3 Mosaphir Terrace, Corrig Road, Dun Laoghaire, Co. Dublin, A96XH02
	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)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ 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?	
☒ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☐ 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)	

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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

This page is intentionally blank.