



An
Coimisiún
Pleanála

Inspector's Report

PL-501317-DN-26

Development

Vehicular entrance with new gates and car parking space to front garden of existing dwelling, associated landscaping, drainage works and boundary treatment.

Location

149, Griffith Avenue, Drumcondra,
Dublin 9, D09Y7F9.

Planning Authority

Dublin City Council North

Planning Authority Reg. Ref.

WEB1391/26

Applicant(s)

Wendy Bradfield.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Wendy Bradfield.

Observer(s)

None on file relating to appeal.

Date of Site Inspection

27th June 2026.

Inspector

Des Johnson

1.0 Site Location and Description

- 1.1. The site is located in Drumcondra, Dublin 9, on the north side of Griffith Avenue, a short distance to the east of its junction with Grace Park Road, and approximately 2 kms north of Dublin City Centre
- 1.2. No. 149 is a two-storey dwelling at the western end of a terrace of four dwellings. It has a raised front garden bounded by a low wall approximately 1m in height topped by cast iron railings. There is a set of steps down to a pedestrian gate and access on to the public footpath. Immediately outside the front wall is a grass verge and mature tree, a footpath and a further grass verge and mature tree. Bordering this verge is a cycleway and a car parking bay delineated with planters at its western end. This parking bay extends to approximately No.127 Griffith Avenue. The public carriageway borders the car parking bay.
- 1.3. Along this stretch of Griffith Avenue, between Nos. 149 and 125, there are three terraces comprising four dwellings and a detached dwelling. All of these dwellings have raised front gardens and pedestrian access only.
- 1.4. There is a continuous white line along the centre of the carriageway extending along most of the frontage of No.149 from the junction with Grace Park Road. The road markings along this stretch include a bus bay outside the adjacent single storey detached dwelling to the west of the appeal site. This single-storey dwelling has on-site parking and vehicular access on to the adjoining carriageway. The bus stop and bay are adjacent to the west of this vehicular access.
- 1.5. Calderwood Grove adjoins to the rear of the site and gives access to car parking at the end of the rear garden of the subject premises.

2.0 Proposed Development

- 2.1. The proposal is for a new vehicular entrance with gates and a car parking space to the front of the front garden of the existing residential dwelling. The proposal includes associated landscaping, drainage works and boundary treatment.
- 2.2. It is proposed to excavate the existing front garden to provide for a car parking space and manoeuvring area. The parking space surface would have a proprietary pebble

retaining permeable honeycomb lining and the area would be bounded by retaining walls. Inward folding metal framed gates 1070mm high of metal/wood are proposed across an opening of 3000mm. New steps are proposed from the car parking area to the dwelling.

- 2.3. The grass verge adjoining the front boundary would be of proprietary soil retaining permeable honeycomb lining, and planted with grass.
- 2.4. It is proposed to use the existing dished pavement outside 149a to allow for vehicular access to the proposed car park space. The applicant states that the location of a mature Copper Beech tree directly outside the subject property will not allow for a new dished pavement allowing direct vehicular access to the site. It is stated that the existing dished pavement is 6.53 metres in clear width and is 4.55 metres from the existing Copper Beech tree.

3.0 Planning Authority Decision

3.1. Decision

The planning authority refused permission for 2 reasons. These are summarised as follows:

- 1 Proximity of street trees within the grass verge. The dishing of the footpath/kerb to facilitate the access would result in loss or damage to these trees. The development would be contrary to the Dublin City Tree Strategy and section 4.3.2 of the Development Plan and would seriously injure the amenities of property in the vicinity. Undesirable precedent.
- 2 Negative impacts on public road traffic measures, most notably existing planters and the existing provision of on-street parking spaces at this location on Griffith Avenue. Contrary to Policy SMT25 (on-street parking) and section 4.3.1 (dimensions and surfacing) of Appendix 5, Volume 2 of the Development Plan.

3.1.1. Planning Reports

- The subject site is located on lands zoned Z1 (Sustainable Residential Neighbourhoods), with a land use zoning objective 'to protect, provide and improve

residential amenities'. The principle of a vehicular entrance is acceptable, but this is entirely dependent on the detailed nature of the works and the suitability of the site and adjacent street to accommodate such works. The application site already benefits from the presence of a vehicular access and off-street parking space to the rear, access being taken by way of Calderwood Grove to the north. An extensive scheme of traffic measures has been introduced along Griffith Avenue, including cycle lane, defined on-street parking areas, street furniture and signage. There are elements relating to the public road, comprising impact to street trees and existing traffic management measures which are of concern. It is considered that the design and position of the vehicular entrance could have a knock-on impact to the existing planters / directional traffic flow signage and on-street parking spaces located in the front of the site. The applicant refers to other dwellings in the vicinity which avail of a shared dishing; it is noted that all these references comprise vehicular entrances with direct access to their associated dishing rather than using a staggered access to the subject site, which is what is proposed by the applicant. There will likely be an impact on the nearby street trees. The proposal poses a potential impact to existing street trees and / or their root protection areas, as the required minimum clearances as outlined in Figure 1 of Section 4.3.2 of Appendix 5 of the Development Plan cannot be provided.

3.1.2. Other Technical Reports

- Drainage Division – no objection subject to condition.
- Transport Planning Division – recommends refusal for the following reasons:

1 Having regard to the proximity of the public street trees within the grass verge of the public footpath adjacent to the subject site, it is considered that the dishing of the footpath/kerb required to facilitate a new vehicular entrance would result in the loss of, or damage to the street trees. As such, the proposed development would be contrary to the Dublin City Tree Strategy, and to Section 4.3.2 (Impact on Street Trees) under Volume 2, Appendix 5 and Section 15.6.10 (Tree Removal) of the Dublin City Development Plan, 2022-2028, and would seriously injure the amenities of property in the vicinity. The development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be contrary to the proper planning and sustainable development of the area.

2 The proposed vehicular entrance would be contrary to Section 4.1 (On-Street Parking) and Section 4.3.1 (Dimensions and Surfacing) and Policy SMT25 as the proposed development would negatively impact the existing public road traffic measures, most notably the existing planters and the existing provision on-street car parking spaces located on the public carriageway. The development would set an undesirable precedent for similar developments, and would be contrary to the proper planning and sustainable development of the area.

3.2. Prescribed Bodies

None

3.3. Third Party Observations

None on file.

4.0 Planning History

4.1. Reg Ref: 5729/06 - Permission to construct single-storey extension to the side and a single-storey/two-storey extension to the rear of dwelling.

4.2. Reference ABP-322386-25 – Permission refused at No.353 Griffith Avenue for new 4m wide front vehicular access with dropped kerb including partial removal of front boundary wall. The reason for refusal stated, in summary, that the proposed development comprising a new 4m wide entrance would be contrary to Section 4.3.1 of Appendix 5 of the Development Plan which states that a vehicular opening shall be at most 3m wide. Furthermore, the proposed development would result in negative impacts on the existing public road traffic measures such as existing road markings/hatchings, planter boxes and an existing bus stop and, as such, would be contrary to Section 4.3.1 (Dimensions and Surfacing) of Appendix 5, Volume 2 of the Development Plan which seeks to avoid the creation of a traffic hazard for passing traffic and conflict with pedestrians. It is not demonstrated that there is sufficient clearance from existing trees and the proposed development may result in impacts to existing street trees and their respective root zones.

5.0 Policy Context

5.1. Development Plan

5.2. The Dublin City Development Plan 2022-2028 is the statutory plan for the area.

5.3. The site is zoned 'Z1' - Sustainable Residential Neighbourhoods with an objective *to protect, provide and improve residential amenities*. Residential use a 'permissible use' in this zoning designation subject to compatibility with other policies and objectives of the Plan.

5.4. Appendix 5 of Volume 2 relates to 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 in predominantly residential areas where residents are largely reliant on on-street car-parking spaces or where there is a demand for public parking serving other uses in the area.

Section 4.3 refers to Parking in Front Gardens. 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. 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.

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. Section 4.3.2 refers to Impact on Street Trees. It states that in all cases, the proposed vehicular entrance shall not interfere with any street trees. Proposals to provide a new entrance or widen an existing vehicular entrance that would result in the removal of, or

damage to, a street tree will not generally be permitted and where permitted in exceptional circumstances, must be mitigated.

Section 4.3.5 refers to Treatment of Front Boundaries. It states that when considering any alterations, minimal interventions are desirable and proposals should aim to be complementary or consistent to others in the area which are of a high standard and in keeping with the overall character and streetscape.

- 5.5. Objective GIO41 refers to Dublin City Tree Strategy 2016. It is an objective to support the implementation of the Dublin City Tree Strategy 2016 and any future revision thereof, which sets a vision for the long-term planting, protection and maintenance of trees, hedgerows and woodlands within Dublin City. Section 3.3.1 refers to the Protection of Existing Trees. Dublin City Council will consider the protection of existing trees when granting planning permission for developments and will seek to ensure maximum retention, preservation and management of important trees, groups of trees and hedges.
- 5.6. Policy SMT25 refers to On-street Parking. It is policy 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.

5.7. **Natural Heritage Designations**

North Dublin Bay SAC – c.5km to the east

North Bull Island & pNHA – c.5km to the east

6.0 **EIA Screening**

- 6.1. The proposal is for new vehicular entrance with gates and is not of a Class for the purposes of Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. As such, the development is excluded at pre-screening stage.

7.0 The Appeal

7.1. Grounds of Appeal

These may be summarised as follows:

- The construction of a new dished pavement/kerb is avoided as it is proposed to use the existing dished footpath/kerb. The existing Copper Beech tree would not be interfered with.
- During Covid, a dedicated cycle way and on-street parking were introduced as temporary measures and had a direct impact on the 1st Party's ability to park outside her property. The parking space directly outside the property was replaced by a painted hatched area and planter boxes. On-street parking in the bays along this stretch of Griffith Avenue are in high demand. The 1st Party is forced to park on grass verges regularly.
- The situation regarding parking is exacerbated as there are elderly visitors also forced to park on grass verges, which can be unsafe during inclement weather. The provision of an off-street parking space would greatly improve access to the subject site by elderly visitors. A small section of concrete would be provided at the damaged corner of the grass verge well outside the protection zone for the existing mature tree at the outer grass verge.
- The majority of properties on Griffith Avenue are currently accessed by dished pavements that allow access to either single or shared driveways. There are 23 driveways that are not accessed by dished footpaths/kerbs directly outside the driveways but are accessed by means of dished pavements outside other properties. The proposed development would be in keeping with established development in the area. The precedent is already set.
- Other properties along Griffith Avenue have excavated existing raised gardens to allow for extended driveways, many in direct proximity to existing mature trees.
- The block of houses in which the subject site is located is actually out of keeping with the existing pattern of development along the Avenue. There would be no serious injury to properties in the vicinity as the proposal merely replicates the existing predominant pattern of development.

- The laneway off Calderwood Road which provides access to the rear of the subject property is generally difficult as it is block parked in the evenings and at night-time. There are security issues in the laneway.
- The 1st Party wishes to purchase an EV in the near future and has no means of charging the vehicle in the current situation. The proposed development would provide for safe charging.
- The existing dishd footpath is 4.55m from the mature Copper Beech tree. The Dublin City Tree Strategy and Section 4.3.2 under Volume 2 Appendix 5 of the Development Plan do not apply in this instance as there would be no construction works required to the outer verge. Protection measures would be put in place when the new vehicular access is being formed. A proprietary honeycomb lining would be provided at the inner verge directly outside the inner verge and this would allow for the growth of grass at the verge and allow vehicles drive over it. There is no need for compacted hardcore. This is a recognised means of surface water drainage.
- The use of the existing dishd footpath would prevent any impact on existing public road traffic measures. There would be no additional traffic hazard created or conflict with pedestrians. There will be no need to alter the existing cycleway, road markings, planters or pavement and there will be no impact on trees.
- The proposal would not be contrary to Policy SMT25 (On-street parking) or Section 4.3.1 (Dimensions and Surfacing) of Appendix 5, Volume 2 of the Development Plan.
- The grounds of appeal contain illustrative photographs and a survey of driveways on Griffith Avenue.

7.2. **Planning Authority Response**

None on file.

7.3. **Observations**

None on file.

8.0 **Assessment**

- 8.1. The proposal is to create a new vehicular entrance with inward opening gates, and create a new car parking space in an excavated front garden, associated landscaping,

drainage works and boundary treatment. The parking space surface would have a proprietary pebble retaining permeable honeycomb lining. It is proposed to use the existing dished pavement, 6.53m wide and serving the adjacent No.149A; as such, the access to the front of No.149 would involve crossing the public footpath in a staggered manner to and from the dished kerb.

8.2. The planning authority has refused permission for reasons relating to the loss or damage to mature trees and undesirable precedent, and negative impact on existing public road traffic measures. The decision is appealed by the First Party. I consider that the key issues to be addressed in this assessment are as follows:

- Principle of Development
- Planning Authority Reason 1 for Refusal
- Planning Authority Reason 2 for Refusal
- Other Issues
- Appropriate Assessment

Principle of Development

8.3. The site is in an established residential area zoned 'Z1' - Sustainable Residential Neighbourhoods with an objective to protect, provide and improve residential amenities. The proposed development is a 'permissible' in this zoning designation subject to compatibility with other policies and objectives of the Development Plan.

Planning Authority Reason 1 for Refusal

8.4. There are several aspects to the 1st Reason for Refusal in the Planning Authority's decision. The reason refers to loss or damage to existing trees due to the dishing of the footpath/kerb and the proximity of the proposed entrance contrary to the Dublin City Tree Strategy, serious injury to the amenities of property in the vicinity, and undesirable precedent.

8.5. I submit that there would be no risk of loss or damage to existing trees arising from dishing of the footpath/kerb as this does not form any part of the proposed development. It is proposed to utilise the existing dished footpath/kerb to the front of the adjoining property No.149a. While it is not clear when this dished footpath/kerb was provided, the drawings relating to Reference 29N.247518 for a single-storey extension

to No.149a in 2017 appear to show vehicular access at this location, and the Board concluded that the proposed development would be acceptable in terms of traffic safety and convenience.

- 8.6. I submit that the proposed development would not impact on the mature tree located in the outer grass verge. The proposed development would involve the provision of vehicular access over much of the inner grass verge. It is proposed to provide a proprietary soil retaining permeable honeycomb lining and planted with grass for this inner verge. The 1st Party argue that there would be no risk of damage to this tree arising from the proposal and, on balance, I agree with this contention. As such, I consider that refusal on the basis of contravention of the Dublin City Tree Strategy (as referred to on Objective GI041 of the Development Plan) would not be warranted in this case.
- 8.7. The 1st Party contends that the proposed development would align with the established pattern of development in the area. I disagree. I submit that the established pattern of development along this side and stretch of Griffith Avenue is predominantly set by the three terraces each with four two-storey houses, raised front gardens and pedestrian only access. The proposed development would fundamentally change this established pattern of development by excavating and lowering the front garden, the relocation of pedestrian steps and the provision of vehicular access and on-site car parking with low retaining walls. In these circumstances, I agree with the local authority conclusion that the proposed development would be seriously injurious to the visual and residential amenities of property in the vicinity and would give rise to an undesirable precedent.

Planning Authority Reason 2 for Refusal

- 8.8. The existing public road traffic measures include an adjacent bus bay outside No.149a, road markings (including continuous white line along the centre of the carriageway) extending from the junction with Grace Park Road, the provision of planters at an on-street parking bay along this side and stretch of Griffith Avenue and a cycleway between the outer grass verge and the parking bay. As the proposed development does not involve new dishing of the footpath/kerb but utilises an existing dished entrance, it would not give rise to any physical alterations to these public road traffic measures. It would, however, lead to an intensification of use of the existing access.

- 8.9. The existing dished entrance to the front of No.149a which it is proposed to use, is adjacent to a bus stop and bay, and visibility to the south-east is significantly restricted by the existing car-parking bay. The public carriageway narrows to a single lane in a south westerly direction to the front of the appeal premises. The grounds of appeal indicate that these measures were put in place as temporary measures during Covid but there is no convincing information on file to indicate that they are not to remain in place. I consider that the proposed development would lead to an intensification of use of the existing entrance with traffic movements giving rise to traffic hazard and, combined with the proposed staggered access arrangement over the existing public footpath and grass verge to the proposed vehicular entrance, would endanger pedestrian safety. As such, I agree that the proposed development would be contrary to Section 4.3.1 of the Plan.
- 8.10. The planning authority contends that the proposed development would be contrary to Section 4.1 of the Development Plan. As the proposed development would not lead the removal of any on-street parking spaces, I do not accept that the proposal would be contrary to Section 4.1 of the Plan.
- 8.11. The planning authority contends that the proposal would be contrary to Policy SMT25. This policy refers to On-street Parking and seeks to facilitate the reorganisation of spaces to serve sustainable development targets including sustainable transport provision. I consider that the provision of additional parking at this location would be contrary to this policy.

Other Issues

- 8.12. The 1st Party indicates an intention to purchase an EV in the near future. I accept that the proposed development would allow for on-site charging. The charging of electric vehicles is an issue which requires policy direction on a wider scale in light of rising areathat the provision of on-site EV charging would not justify the proposed development and overcome the reasons for refusal.
- 8.13. The 1st Party contends that the existing parking arrangements can lead to parking on grass verges and can be a hazard to elderly visitors. The existing on-street parking spaces are in high demand. I note that this location is well served by public transport and consider that the proposal to provide on-site parking on this site should be refused permission.

- 8.14. There is an existing combined drain crossing the front garden area to connect to the public drain beyond the site. The Drainage Section have not objected to the development for reason of any disruption to the drain. Based on the information submitted on file, I see no reason why the development would disrupt this drain.

9.0 **AA Screening**

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

The subject site is located in an established residential area on Griffith Avenue, Drumcondra, approx. 2km from the Dublin City Centre

The proposed development comprises new vehicular entrance with new gates to the front garden of an existing residential dwelling, associated landscaping, drainage works and boundary treatment.

Having considered the nature 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. The reason for this conclusion is as follows:

- The nature and small scale of the development
- The location on an established residential road,
- The separation distance and absence of any connectivity to any European sites

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 on an established residential road. The proposed development relates to the construction of new vehicular entrance with gates to front garden of existing residential dwelling, associated landscaping, drainage works and boundary treatment. No water deterioration concerns are raised in the appeal. I have assessed the development in the context of the objectives of the Water Framework Directive. Having regard to the nature, scale, and location of the development, I am

satisfied that it can be eliminated from further assessment as there is no conceivable risk to any surface and/or groundwater bodies either qualitatively or quantitatively.

11.0 Recommendation

11.1. I recommend that planning permission be refused.

12.0 Reasons

1. The proposed development for the creation of a new vehicular entrance and excavation of the front garden area to provide on-site parking, would seriously injure the visual and residential amenities of the terraces of properties adjoining to the south-east which represent the predominant established pattern of development in this vicinity, would set an undesirable precedent for similar developments and, as such, would be contrary to the proper planning and sustainable development of the area.
2. The proposed development which would result in an intensification of use of the existing dished footpath in front of No.149a Griffith Avenue and staggered access from the site across an existing public footpath, in close proximity to an existing bus stop and bay and where traffic management measures include a continuous white line along the centre of the carriageway extending from the junction with Grace Park Road, narrowing of the public carriageway in a south easterly direction, an on-street parking bay, and dedicated cycleway, would endanger vehicular and pedestrian safety by reason of traffic hazard and obstruction to users of the public footpath. As such, the proposal would be contrary to Policy SMT25 and Section 4.3.1 of the Dublin City Development Plan 2022-2028 and 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.

Des Johnson
Planning Inspector

16th July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501317-DN-26
Proposed Development Summary	New vehicular entrance and car parking space to front garden of existing dwelling, associated landscaping, drainage works and boundary treatment.
Development Address	149 Griffith Avenue, Drumcondra, Dublin 9, D09Y7F9.
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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.	
☒ 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.	
☐ 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 ☐	
No ☒	

Inspector: _____

Date: _____