

DEPUTY PLANNING OFFICER

APPLICATION NO.	WEB2043/26
PROPOSAL	Creation of a new front vehicular access, including partial removal of the front boundary wall and installation of EV charging point.
LOCATION	D05 TN50
APPLICANT	Eoin Byrne
DATE LODGED	30-Apr-2026
ZONING	
APPLICATION TYPE	Permission

16/06/2026**Site Notice** 27/05/26

1.0 Description of Site and Surroundings

The subject site accommodates an existing two-storey, mid-terrace house, located on east side of Bettystown Avenue. The house has a pedestrian entrance and low block wall providing its front garden boundary.

2.0 Proposed Development

The proposed development is indicated as follows:

- The creation of a new front vehicular access,
- Partial removal of the front boundary wall
- The installation of EV charging point.

3.0 Land-Use Zoning

The subject site is located on lands zoned Sustainable Residential Neighbourhoods – Z1 with a land use zoning objective '*To protect, provide and improve residential amenities.*'

5.0 Pre-planning consultation

None indicated

6.0 Planning History

Plan ref no. WEB5975/25 refers to the decision to refuse permission for the provision of a new front vehicular access with dropped kerb, including partial removal of the front boundary wall.

Reason for refusal:

1. Having regard to the existing mature street tree and utility pole/streetlight located to the front of the application site, there is insufficient width at this site to facilitate the creation of a sufficiently wide and safe vehicular entrance (between 2.5m and 3m) in accordance with Section 4.3.1, Volume 2, Appendix 5 of the Dublin City Development Plan 2022-2028 and to avoid negatively impacting the tree root zone of the street tree. As such, the proposed development, due to its impact on the street tree located in front of the property would be contrary to Section 4.3.2 in Appendix 5, Volume 2 of the Dublin City Development Plan 2022 – 2028 and Objective GIO41 (Dublin City Tree Strategy) with an aim to protect trees within Dublin City. The proposed development would seriously injure

the amenities of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

Adjacent Sites

Plan ref no. 4714/19 refers to the decision to grant permission for development comprising of '*part single storey, part two storey extension to the front, side and rear of existing dwelling to include, extended front porch with hipped roof over, extended gable roof to front and side elevation, 2 storey extension to rear with apex roof over and rooflights, single storey extension to rear with flat roof over and rooflights; 1 no. single storey extension to rear with mono pitch roof over, alterations to all elevations and internal modifications. New vehicular entrance off Bettystown Avenue with relocated pedestrian entrance gate with 2 no. on curtilage car parking spaces, associated landscaping and boundary treatment, SuDs drainage with all associated site and ground works necessary to facilitate the development*' 29 Bettystown Avenue, Raheny Dublin 5
Note: Condition no. 3 restricted the vehicular entrance to a maximum of 3.5m in width.

Plan ref no. 4191/19 refers to the decision to grant permission for development comprising '*(1) the widening of existing pedestrian entrance to create vehicular access to the front of property with kerb dishing to provide for off street parking and (2) for the widening of existing porch to front elevation at no. 33 Bettystown Avenue, Raheny Dublin 5*
Note: Condition no. 3 restricted the vehicular entrance to a combined vehicle and pedestrian entrance with a maximum of width of 3.6m.

7.0 Relevant Enforcement History

None indicated

8.0 Consultations

Internal Consultees

Drainage Division: Report received 08/06/26 indicates no objection to the proposed development, subject to conditions

Transportation Planning Division: Report dated 12/06/26 indicates, due to proximity of the mature street tree and services pole to the proposed vehicle entrance that there would be insufficient room to provide a viable vehicle entrance in accordance with Section 4.3.1, Volume 2, Appendix 5 of the Dublin City Development Plan. TPD has recommended that the proposed development should be refused permission.

Prescribed bodies

Irish Water: No response to date

9.0 Submissions/ observations/ representations

The Planning Authority has not received any objections to the proposed development

10. Relevant Policies, objectives and Standards Dublin City Development Plan 2022-2028

The relevant provisions of the Dublin City Development Plan 2022-28 for the assessment of such a proposal are set out as follows;

Zone 3 of Map J 'Existing and Future Strategic Transport and Parking Areas'
Appendix 5 (Transport and Mobility: Technical Requirements)
Section 4.3. Parking in Front gardens
Section 4.3.1 Dimensions and Surfacing
Section 4.3.2 Impact on Street Trees

11.0 Planning Assessment

Having reviewed the documentation submitted, and inspected the site, and having regard to the relevant local/regional and national policies and guidance, it is considered that the issues for assessment relate to:

- Land Use Zoning and the Principle of Proposed Development
- Design and Residential Amenity

11.1 Land Use Zoning and the Principle of Proposed Development

The proposed development comprises of:

- Creation of a new front vehicular access, including partial removal of the front boundary wall and installation of EV charging point.

As per Section 14.7.1 of the development plan, the subject site is located on lands zoned Sustainable Residential Neighbourhoods – Z1 with a land use zoning objective ‘To protect, provide and improve residential amenities.’ The proposed development is permissible in this zoning. A permissible use is one which is generally acceptable in the relevant zone, but which is subject to normal planning considerations, including the policies and objectives outlined in the Dublin City Development plan 2022-2028.

11.2 Access

Vehicular Entrance

Planning Permission for the new vehicular entrance onto Bettystown Avenue for off street parking. The Transportation Planning Division in their report of 12/06/26 states the following:

This Division raises no issue with the principle of the vehicular entrance for the site as outlined under Reg. Ref. WEB5975/25. The proposed width and depth of the front garden with further clarification in this revised application achieves the criteria under S.4.3.1, Appendix 5, Vol 2, Dublin City Development Plan 2022 – 2028. The remaining issue, therefore is the impact a proposed entrance has with on-street features. In particular, the street tree.

As previously confirmed under Reg. Ref. WEB5975/25, the street tree is mature. In accordance with Figure 1 of S.4.3.2, Appendix 5, Vol 2, a setback of 3.5 metres is required from the surface of the street tree to footpath dishing. Dishing is typically 0.8m either side of a vehicular entrance and as such a setback of 4.3 metres is required. The submitted proposed site plan (proposed) shows the proposed 2.5m entrance is 1.95m from the mature street tree. This is below the minimum setback. Between the start of the application site boundary with No. 29 Bettystown and the surface of the street tree is 5.6 metres. The required setback would leave 1.4 metres available for a vehicle entrance. This is below the minimum standard for an entrance under S.4.3.1, Appendix 5, Vol 2, Dublin City Development Plan 2022 – 2028.

Therefore, the proposed application has not overcome the reason for refusal issued under Reg. Ref. WEB5975/25 and therefore permission should be refused. The only option available to the applicant to provide a minimum vehicle entrance would be to remove the street tree. This decision falls within the remit of the Parks Department.

It is noted that the application includes a cover letter which outlines the design revisions & response to refusal. This Division responds to parts of the submission in turn below.

The submitted tree survey report recommends hand digging which is not practical when removing and reinstating concrete dishing and footpaths. In addition, Geocell is unacceptable within the Public Road footpaths and road carriageway in line with DCC construction standards and more suitable within parks and / or greenways. It should be noted that S.4.3.2, Appendix 5, Vol 2 of the Development Plan ensures sufficient construction and post construction space for the street tree protection and growth. It should be noted that from a liability point of view, a homeowner cannot propose or carry out works to the public road within the jurisdiction of Dublin City Council. The responsibility in terms of construction, design and maintenance is within the remit of DCC's function as the Roads Authority. Therefore, any suggested or proposed mitigation measures within the public road are beyond the control of the applicant.

In terms of traffic and pedestrian safety, the submission references the planning authorities acknowledgement that the principle of an off-street space would result in an improved situation from a safety perspective. It is noted that this was in terms of traffic flow in one direction at a time. Bettystown Avenue is 168m in length between priority junctions at Maryville Road and All Saints Road. It is a local road where traffic speed is expected to be low which needs to be reinforced with on-street features. DMURS acknowledges that on-street car parking functions as a means of traffic calming while delivering on visitor parking for the area. Therefore, while the individual property safety may improve, the removal of on-street parking increases carriageway widths and therefore speed which could result in a danger to road users.

Other aspects of the submission references precedent of other vehicle entrances, however such decisions were permitted under previous development plans with different standards. Equally, policy in relation to EV Charging does not have an overarching directive. It is noted that where off-street car parking cannot be achieved for EV charging, the strategy is for neighbourhood charging infrastructure hubs.

The report recommends the refusal of permission, due to the proximity of the proposed vehicle entrance to an existing street tree. Therefore, it is recommended that the proposed development be refused permission.

12.0 Screening for Appropriate Assessment

Having regard to the nature and scale of the proposed development, and the distance to the nearest European site, it is considered that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. A full Appropriate Assessment of this project is therefore not required.

13.0 Environmental Impact Assessment

Having regard to the nature of the development comprising vehicular access, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore be excluded at preliminary examination and a screening determination is not required.

14.0 Conclusion

The proposed development would involve the provision of the new vehicular entrance onto Bettystown Avenue. There is no objection in principle to the provision of a vehicle entrance to the front of a house however the impact on street features is the main concern. However a previous application for a vehicle entrance at the subject site (Plan ref no. WEB5975/25) had resulted in a refusal of permission. The Transportation

Planning Division (TPD) has identified an existing mature street tree located to the front of the application site. TPD concludes there is insufficient width at this site to facilitate the creation of a sufficiently wide and safe vehicular entrance (between 2.5m and 3m) in accordance with Section 4.3.1, Volume 2, Appendix 5 of the Dublin City Development Plan, while protecting the tree. Therefore, it is recommended that a decision be made to refuse permission for the proposed development.

15.0 RECOMMENDATION

It is recommended that a decision be made to refuse planning permission for the proposed development for the following reason

Having regard to the existing mature street tree and utility pole/streetlight located to the front of the application site, there is insufficient width at this site to facilitate the creation of a sufficiently wide and safe vehicular entrance (between 2.5m and 3m) in accordance with Section 4.3.1, Volume 2, Appendix 5 of the Dublin City Development Plan 2022-2028 and to avoid negatively impacting the tree root zone of the street tree. As such, the proposed development, due to its impact on the street tree located in front of the property would be contrary to Section 4.3.2 in Appendix 5, Volume 2 of the Dublin City Development Plan 2022 – 2028 and Objective GIO41 (Dublin City Tree Strategy) with an aim to protect trees within Dublin City. The proposed development would result in serious injury to the amenities of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.