

An Bord Pleanála



Inspector's Report

Appeal Reference No: PL06D.245654

Development: Attic conversion with dormer to the rear, three roof lights to the front and widen an existing vehicular entrance at 48 Granville Road, Cabinteely, County Dublin.

Planning Application

Planning Authority: Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.: D15A/0490
Applicant: Eoin Finnegan
Planning Authority Decision: Grant with Conditions

Planning Appeal

Appellant(s): Eoin Finnegan
Type of Appeal: Applicant V Conditions
Observers: None
Date of Site Inspection: 8th January 2016.

Inspector: Hugh Mannion

1.0 SITE LOCATION AND DESCRIPTION

Granville Road is one of a number of residential streets in Cabinteely to the east of the N11 in the southern suburbs of Dublin. It is characterised by two storey semi-detached houses with front and rear gardens. Originally these houses also had side garages. Many of the garages have converted and a number of built extensions over.

The application site is the left hand house of a semidetached pair with a converted garage and first floor extension over. The site has a stated area 0.0418ha. The rear garden is about 30m long and slopes down to a boundary with a large public park to the southwest of the site. The front garden has been largely paved with a raised planter along the boundary with number 50 on its right.

2.0 PROPOSED DEVELOPMENT

The proposed development comprises an attic conversion comprising 38m² with a dormer to the rear, three roof lights to the front and a widened existing vehicular entrance at 48 Granville Road, Cabinteely, County Dublin.

3.0 PLANNING HISTORY

Permission was granted under D04B/0164 for a porch, garage conversion with first floor extension and a pitched roof on an existing rear extension.

4.0 PLANNING AUTHORITY DECISION

4.1 Planning and technical reports

The **planner's report** recommended a grant of permission along the lines set out in the manager's order.

The **Transport Planning Section** recommended a grant with conditions which gave rise to the limitation in width of the amended entrance to 3.5m.

Drainage Division recommended permission subject to conditions.

4.2 Planning Authority Decision

The planning authority granted permission subject to 8 conditions along the lines recommended in the planner's report.

Condition 2 requires that the rear dormer extension be reduced from a proposed 7.7m to 5.1m and located centrally in the roof space. The reason given is in the interests of visual harmony and residential amenity.

Condition 3 required that the entrance be limited to a maximum of 3.5m and finished to the satisfaction of the planning authority and the appropriate public utility company. The reason given relates to traffic safety.

5.0 GROUNDS OF APPEAL

The grounds of appeal may be summarised as follows;

- The reduction in the size of the rear dormer extension will reduce its practical value as additional accommodation, the house adjoins public open space so is not generally visible to neighbours and will not impact on the amenity of adjoining residential property.
- The application is designed to avoid the risk associated with a second car having to reverse out of the front parking spaces. The condition gives rise to traffic hazard.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 Planning Authority response

The planning authority responded to the appeal stating that the conditions arise from the policy set out at 16.3.4 and 16.10.9 of the County Development Plan.

6.2 Observations on grounds of appeal

There are no objections or further observations on file.

7.0 POLICY CONTEXT

The Dun Laoghaire Rathdown County Development Plan 2010-2016 states at 16.3.4 that:

Dormer extensions to roofs will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions – whether for functional roof space or light access – shall generally not form a dominant part of a roof and shall normally be

positioned away from all edges of the parent roof. Particular care will be taken in evaluating large dormer window structures - due to potential excessive overlooking of adjacent properties and the possibility of visual dominance when viewed from the surroundings.

Paragraph 16.10.9 of the Plan states

Vehicle entrances and exits shall be designed to avoid a traffic hazard for pedestrians and passing traffic. Where a new entrance onto a public road is proposed, the Council will have regard to the road and footway layout, the traffic conditions on the road and available sightlines, and will impose appropriate conditions in the interest of public safety. In general, for a single residential dwelling, the minimum width of a driveway is 3.0m and maximum width is 3.5m. For a shared entrance for two residential dwellings, this may be increased to 4.0m. Each car parking space for a residential dwelling shall have a minimum driveway length of 5.5m depth (to ensure the parked car does not overhang onto the existing public footway).

8.0 ASSESSMENT

Condition 2.

The application is for a dormer extension over most of the rear roof of an existing house which has had modifications previously comprising conversion of a garage with first floor extension over, a porch to the front and a pitched roof on single storey rear extension. The existing internal layout is shown on drawing number 103 submitted with the application. The rear garden is about 30m long and ends on an escarpment overlooking Kilbogget Park to the south west. Kilbogget Park is part of a long series of public parks and playing pitches which starts to the south at Wyattville Road and continues north past the rear of the houses on the southwestern side of Granville Road.

The county development plan when referring to dormer extensions states that regard will be had to impacts on existing character and form, and the privacy of adjacent properties and that dimensions and bulk will be the overriding considerations. Particular care will be taken in evaluating large dormer window structures because of the potential for excessive overlooking of adjacent properties.

In relation to character and form it is noteworthy that the proposed dormer extension is to the rear of the house which will not be normally visible from the public road. Furthermore there is already a substantial dormer extension at 68 Granville Road; about 10 houses to the southeast. Therefore I conclude that the extension, as proposed, will not seriously detract from the character or form of the house as it appears in the public realm.

In this case the rear garden at almost 30m long is 8m longer than the traditionally recommended separation distance between opposing first floor windows of 22m and backs onto a public park with significant screening along the boundary. I consider that the Development Plan when setting out advice in relation to dormer extensions envisages a situation whereby houses back onto each other at about 22m separation distances. I do not consider that the dormer as proposed would generate any more intrusive views of adjoining residential property than arises from the existing first floor rear facing windows or that which would arise from the permitted development as amended by condition number 2. I conclude that the proposal will not seriously impact on the residential amenity of adjoining houses.

Condition 3

The application proposes an entrance 4.8m wide. The planning authority by way of condition 3 has limited this to 3.5m which is the recommended maximum vehicular opening width set out in the County Development Plan. The grounds of appeal state that the wider entrance would enhance traffic safety by avoiding motor cars reversing into the road.

This is a standard residential development of two storey houses with front and rear gardens. In particular the front gardens are significant from a visual amenity aspect because they allow trees, shrubs and vegetation generally to soften the harder concrete elements in the streetscape to create residential character and amenity value. In the present case almost the entire front garden has been paved and the permitted and constructed porch has further diminished the available parking area. To provide a 4.8m wide entrance would require the paving over of about 2.2m of grassed verge in the public road and loss of potential for on-street parking.

In an established residential area where the speed limit is 50kms/hour I do not accept that reversing out into the public road is, of itself, an unsafe practice. It may be noted that the Development Plan maximum is 3.5m for vehicular entrances, which I consider is reasonable and I conclude that the condition number 2 is reasonable.

APPROPRIATE ASSESSMENT

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

9.0 CONCLUSIONS AND RECOMMENDATION

Having regard to the foregoing and the nature of the conditions the subject of the appeal, I submit that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, recommend that the Board directs the planning authority under subsection (1) of section 139 of the Planning and Development Act, 2000, as amended to remove condition number 2 and attach condition number 3 for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area and the location of a public park to the rear of the application site it is considered that the proposed dormer extension is acceptable in terms of the protection of the residential amenity of adjoining rear gardens. The proposed development would therefore accord with the current Dun Laoghaire Rathdown County Development Plan policy for dormer extensions to dwelling houses.

The proposed widened access onto Granville Road would disrupt the pattern of front gardens in the area, interfere with on-street parking and is not required in the interest of traffic safety.

Hugh Mannion
Planning Inspector
14th January 2016.