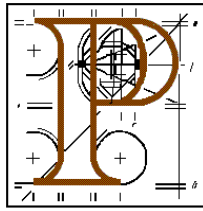


# An Bord Pleanála



## Inspector's Report

**PL06D.245720**

**DEVELOPMENT:-**

Permission for the integration of the garage into the main house at 6 Summerhill Parade, Glasthule, Co. Dublin.

**PLANNING APPLICATION**

**Planning Authority:** Dun Laoghaire Rathdown County Council

**Planning Authority Reg. No:** D15B/0331

**Applicant:** Ciara Smyth

**Application Type:** Permission

**Planning Authority Decision:** Refuse

**APPEAL**

**Appellant:** Ciara Smyth

**Type of Appeal:** 1st-V-Refusal

**DATE OF SITE INSPECTION:** 01/02/16

**Inspector:** Colin McBride

## 1. SITE DESCRIPTION

- 1.1 The appeal site, which has a stated area of 0.00849 hectares, is located to the south east of Dun Laoghaire in Glasthule. The appeal site is occupied by an existing two-storey dwelling that is part of a block of 2 no. two-storey semi-detached dwellings. The dwelling is located along Summerhill Parade, which is laneway that runs along the rail tracks and is characterised by a number of mews type dwellings as well as providing access to the rear of dwellings fronting onto Windsor Terrace to the north of the site.

## 2. PROPOSED DEVELOPMENT

- 2.1 Permission is sought for the integration of the garage into the main house. The proposal concerns an existing two-storey two bedroom semi-detached dwelling unit. The proposal is to convert the attached garage to the side of the dwelling to habitable space. The garage space is to be added to the master bedroom to provide for a bigger bedroom with the unit remaining a two bedroom unit.

## 3. LOCAL AND EXTERNAL AUTHORITY REPORTS

### 3.1

- (a) Water Services (15/09/15): No objection.
- (b) Transportation Planning (07/10/15): Refusal recommended on the basis that a precedent set for development on adjoining sites with no off-street car parking.
- (c) Planning Report (14/10/15): Concerns are expressed regarding the loss of off-street parking proposed and that the proposal is not consistent with Section 16.3.4 regarding Mews Lane Developments and such would set an undesirable precedent. Refusal was recommended subject to the reasons outlined below.

## 4. DECISION OF THE PLANNING AUTHORITY

### 4.1 Permission refused based on two reasons...

1. The proposed development, with the proposed integration of the garage into the main house, by itself, or by the precedent which the grant of permission in respect of no provision of an off-street car parking space provided for this type of existing residential development would set and may lead to other relevant developments on adjoining sites and would adversely

affect the use of the existing road by traffic and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would result in the loss of the existing on-site car parking provision. This would be contrary to Section 16.3.4(ix) and Table 16.3 of the 2010-2016 Du Laoghaire-Rathdown County Development Plan and would contravene the parent permission D01A/0659. The proposed development would, therefore, seriously injure the amenities and depreciate the value of property in the vicinity and be contrary to the proper planning and sustainable development of the area.

## 5. PLANNING HISTORY

- 5.1 D06A/1957: Permission granted for retention of alterations to ref no. D01A/0659.
- 5.2 D01A/0659: Permission granted for 2 no. Two-bedroom houses.
- 5.3 D99A/1055: Permission refused for construction of 2 no. dwellings. Refused by An Bord Pleanála (ref no. unavailable).

## 6. PLANNING POLICY

- 6.1 The relevant plan is the Dun Laoghaire Rathdown County Development Plan 2010-2016. The site is zoned 'Objective A' with a stated objective "to protect and/or improve residential amenity".

## 7. GROUNDS OF APPEAL

- 7.1 A first party appeal has been lodged by Simon Hoe Architect on behalf of Ciara Smyth no. 6 Summerhill Parade, Glasthule, Co. Dublin. The grounds of appeal are as follows...

- It is noted that the conversion of the garage could be considered exempted development and was subject to a Section 5 declaration that determined it was not exempted development. The appellant note Section 16.3.4 and that no condition was imposed restricting future conversion of the garage. The Section declaration was not referred to the Board.
- It considered that the proposal is acceptable and a fairly common type of development in an urban area such as this. It is noted that the garage is inaccessible and has never been used as parking. It is noted that the appellant has had use of two car parking spaces located on the western side of the building along Summerhill Parade and the non-use of the garage for

parking has had no detrimental impact within the area. It is considered that the proposal would not set a precedent.

- The appellant considers that the Council is being overly restrictive and also notes that the appeal site is in close proximity to public transport (Glasthule Dart Station). It is noted that the proposal would not be contrary Development Plan policy.

## 8. RESPONSES

### 8.1 Response by Dun Laoghaire Rathdown County Council

- It is noted development on this restricted site was contingent on some provision of off-street car parking. It is considered that the proposal will have secondary effects in terms of reducing the provision of parking on-site but also increasing the potential for residents/future residents' demands for parking as a result of greater floor area provision.
- It is considered that further residential development on this restricted site relative to open space and parking provision would be contrary Development Plan policy regarding mews lanes and would set a negative precedent.

## 9. ASSESSMENT

### 9.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Principle of the proposed development/Development Plan policy, physical impact/car parking.

### 9.2 **Principle of the proposed development/development plan policy/physical impact/car parking:**

9.2.1 The proposed development entails conversion of an existing garage attached to an existing two bedroom and two-storey dwelling to habitable space. The additional space is to enlarge an existing bedroom with the dwelling to remain a two bed unit. In regards to visual impact the proposal has no significant impact in that it entails no new structures and the replacement of a garage door with a window that is in keeping with the design and character of the existing structure. In relation to the amenities of adjoining properties the proposal has no significant impact in that there is no physical increase in the floor area of the existing structure and no change in land use.

9.2.2 In relation to zoning the proposed development is compliant with the land use zoning objective. The main issue that has resulted in refusal of permission is

the loss of one off-street car parking space as a result of the conversion of the garage to habitable space. The Council refers to Section 16.3.4(ix) regarding Mews Lane Development. Specifically the following policy under this section is relevant, which states...

"All parking provision in mews laneways should be in off-street garages, integral garages (car ports), forecourts or courtyards, and conditions to 'de-exempt' garage conversions will normally be attached. At least one off-street parking space per dwelling will generally be required. Where two spaces can be reasonably accommodated these should be provided. Part set-backs of frontage for on-street parallel parking may be considered depending on lane width and structure types".

The Council is of the opinion that the proposal is contrary to this policy. The appellant on the other hand notes that the garage is not greatly accessible and has never been used for parking with the availability of two car parking spaces on the western elevation. It is notable that there are markings along the western elevation providing for two car parking spaces for each of the two semi-detached dwellings that the site is part of. Having inspected the site I would concur that the garage subject to the conversion is not readily accessible due to the somewhat restricted layout relative to other properties on the eastern elevation. I would also note that there are two car parking spaces available on the western elevation that are accessible in terms of size and layout and do not impact adversely on traffic movements in the area. I would refer to table 16.3 of the Development Plan (car parking standards) and note that the requirement is one space for a one/two bed unit. Despite the loss of the garage it would appear that the parking requirement for this unit can be fulfilled and is actually exceeded. Having regard to this fact I can see no reason not to permit the proposed development and would consider that it is acceptable in the context of visual amenity, the amenities of adjoining properties, traffic safety and convenience, and would be compliant with Development Plan policy.

### **9.3 Other Issues:**

- 9.3.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **RECOMMENDATION**

I recommend a grant of permission subject to the following conditions.

## REASONS AND CONSIDERATIONS

Having regard to the location of the site on residentially zoned lands in the Dun Laoghaire Rathdown County Development Plan, to the limited scale of the development and to the pattern of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority at permission consequent stage and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

Colin McBride  
01st February 2016