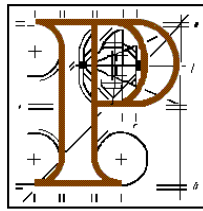


An Bord Pleanála



Inspectors Report

Development: Widening of vehicular entrance. 19 Whitethorn Grove, Artane, Dublin 5

Planning Application

Planning Authority: Dublin City Council
Planning Authority Reg. Ref. 1328/15
Applicant: Peter Lynch
Type of Application: Permission
Planning Authority Decision: Refuse

Planning Appeal

Appellant(s): Peter Lynch

Observers: None
Type of Appeal: First Party
Date of Site Inspection: 15/03/16

Inspector: Suzanne Kehely

1.0.0 SITE LOCATION AND DESCRIPTION

- 1.0.1 The subject site is located midway along the western side of a residential cul-de-sac road Whitethorn Grove in the North Dublin suburb of Artane. The road is characterised by established semi-detached two storey family homes of consistent design and finish with plot widths in the order of almost 7.5m. The houses are typically rendered with two windows at first floor and a large picture window stepped forward and entrance door in the front elevation. They are set back from the front boundary wall by a distance of 7.3m approx. The boundary walls are typically 720mm high with slightly higher piers. Many have been modified and while there is predominance of rendered finish some there is some use of red brick.
- 1.0.2 The houses all have vehicular entrances and in the case of the subject site it is 3.91m which accounts for 52% of the site frontage. . Other entrances vary from the narrow original width to some being much wider along the road allowing for independent access of two cars.
- 1.0.3 The road has a good alignment with a metalled carriageway width of approximately 8m. At time of inspection between around 2pm there was very little traffic and only a couple of cars parked on the road. This is possible owing to the time of day. There is no street lighting or tree planting or other such obstruction in the footpath fronting the site. The house driveway has been cobble locked and incorporates two raised flower beds. Photographs and maps in Appendix 1 serve to describe the site and location in further detail.

2.0.0 PROPOSED DEVELOPMENT

- 2.0.1 Permission was sought for the widening of the entrance to 5.2m which would account for 69% of the property width.
- 2.0.3 The application was accompanied by photographs of properties with widened entrances at nos. 24, 28, 34 and 4 Whitethorn Grove which range from 4.6m to 7.5m conversions.

3.0.0 PLANNING HISTORY

- 3.0.1 DCC Reg. Ref. **1998/00** Permission granted for retention of attic conversion and single storey extension to rear at subject site.
- 3.0.2 DCC Reg. Ref. **2409/99** Permission granted for retention of alterations to front boundary wall at subject site.
- 3.0.3 DCC Reg. Ref. **2708/99**. Permission refused for single and two storey extension to rear of subject dwelling

4.0.0 PLANNING AUTHORITY DECISION

4.1.0 Planning and Technical Reports

4.1.1 **Drainage Division Engineering Dept:** No objection subject to standard conditions relating to drainage works. *All private drains drain fittings such as downpipes, gullies, manholes, Armstrong junctions etc. to be located within the final site boundary. Private drains should not pass through property they do not serve.*

4.1.2 **Planning Report:** The report cites Appendix 8 of the Development plan in respect of driveways. 'They shall be at least 2.5m or at most 3.6m in width and shall not have outward opening gates. In the interest of visual amenity it is also recommended that the maximum amount of front boundary be retained. The design standards set out in 'Parking Cars in Front Gardens' shall also apply.

There are reservations that the widening of entrance would have a detrimental visual impact on the subject site and the proposal does not accord with Appendix 8. By virtue of the 5.2m width and failure to retain a front boundary or front garden area it is considered that the proposed development would materially contravene the provisions of the development Plan. . TI would be visually out of keeping with the character of the area and would set an undesirable precedence for similar development and would seriously injure the amenities of the area.

4.2.0 Planning Authority Decision

4.2.1 By order dated 15/12/2015 a notification of intent to REFUSE permission was issued. The stated reason being: The proposed development by virtue of its 5.2m width and failure to retain sufficient front boundary of the front garden area would materially contravene the provisions of the Dublin City Development Plan 2011-2017 specifically Appendix 8 in relation to vehicular access and parking in front gardens, would be visually out of keeping with the character of the area and would set an undesirable precedent for similar developments in the vicinity. The proposal would therefore seriously injure the amenities of the area would be contrary to the provision of the Dublin City Development Plan 2011-17 and the proper planning and sustainable development of the area.

5.0.0 GROUNDS OF APPEAL

5.0.1 The grounds of appeal are based on

- Need to park a **commercial vehicle** (6.34m long on an extra-long wheel base) associated with the business of applicant/resident and the benefits of this off-street parking to other road users.

- **Precedence** of wide driveways for properties in area and
- **Retention of 2.275m of front boundary** which equates to 31%
- Willing to **compromise** on reaching middle ground.

6.0.0 RESPONSES

6.1.0 Planning Authority Response

6.1.1 No further comment.

6.2.0 Observations

6.2.1 None on file.

7.0.0 POLICY CONTEXT

7.1.0 DUBLIN CITY DEVELOPMENT PLAN 2011 - 2017

7.1.1 The subject site is zoned “Z1” in the Dublin city development plan, with the stated objective “to protect, provide for and improve residential amenities” (‘Z1’ – Sustainable Neighbourhood Residential Zoning).

7.1.2 Appendix 8

Where driveways are provided, they shall be at least 2.5m or, at most, 3.6m in width, and shall not have outward opening gates. The design standards set out in the planning authority’s leaflet ‘Parking Cars in Front Gardens’ shall also apply.

8.0.0 ASSESSMENT

8.0.1 This appeal relates to the widening of a previously widened vehicular access in a suburban area. Having regard to the contents of file and site inspection, I consider the issues to be:

- Principle of development :
 - Visual amenity and parking/traffic safety
- Appropriate Assessment

8.1.0 Principle of the Development

8.1.1 On the one hand the applicant seeks to modify the entrance to a similar scale already existing in the area to facilitate parking of his commercial vehicle, on the other hand this is contrary to the development plan policy.

In principle the provision of excessively wide vehicular entrances are contrary to the development plan policy. The development plan is quite prescriptive in terms of setting min-max limits of 2.5-3.6m for typical residential areas. In the context of the suburban character of the area in his case, both in terms of visual character and low traffic level, this, I consider to be quite reasonable. In visual terms in this case this upper limit is proportionate to the plot width of about 7.4m. In terms of parking, this upper limit retains on-street parking space between adjacent driveways of adjoining semi-detached houses and environmentally, it allows for an enclosed garden area and extended perimeter planting thereby increasing permeability and softening extensive concrete and rendered surfaces.

- 8.1.2 In this case the applicant makes the case that his extra-long wheel based vehicle associated with his business cannot be parked off street due to difficulty with manoeuvring although this is not backed up with any turning movement diagrams. The applicant also makes the case that there is precedence for widened entrances. I note that this is the case and some have incorporated attractive landscaping however there is no evidence of permission for such.
- 8.1.3 I note that the gate pier has a slight lean and may need to be rebuilt. In this scenario, arguably, a modest increase may be considered acceptable. In this regard I note the applicant's willingness to compromise. However on balance I consider the cumulative impact of disproportionately wide entrances would detract from the overall amenities of the street. The road at 7.5m has the capacity in this cul-de-sac to provide on-street parking in conjunction with off street parking. While off street parking of a commercial may enhance security, I note there would be no meaningful way to gate the entrance. There is no provision for gates. These have been generally removed in other widened entrances.
- 8.1.5 The cumulative impact of widened entrance of this scale would reduce on-street parking on the public road. If the board is of mind to consider granting a reduced widening – 7m of wall should be left between driveways to retain an on-street space. In the interest of fairness this should leave 3.5m per property which result in an entrance width of 4m. The rebuilding of the pier to this width at less than 100mm in width would not be material in my mind and I therefore see no benefit in permitting a width of 4m from the current width of 3.90m
- 8.1.6 In conclusion I note that the applicant has already been permitted to widen the gate beyond which would be normally acceptable to 3.9m. I note the guidance leaflet on parking in front garden and the maximum of 3.6m unless there are exceptional site circumstances. I do not consider such circumstances apply in this case. The further widening of the entrance to over 5m would detract from the amenities of the area and would not be in accordance with the proper planning and sustainable

development of the area having regard to the provisions of the development plan for the nature of development proposed. I consider the decision of the planning authority to be reasonable and should be upheld.

8.2.0 Appropriate Assessment

8.2.1 Having regard to the nature and scale of the proposed development and / or the nature of the receiving environment, and / or proximity to the nearest European site, no appropriate assessment issues arise and it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

9.0.0 RECOMMENDATION

I have read the submissions on file, visited the site, and have had due regard to the provisions of the Dublin City Development Plan 2011 - 2017, the planning history on the subject and adjoining sites and all other matters arising. It is considered that the proposed development would not be in accordance with the development plan, would injure the amenities of the area and would not therefore be in accordance with the proper planning and sustainable development of the area. I recommend permission be REFUSED for the following reason.

10.0.0 REASONS AND CONSIDERATIONS

1 Having regard to the character of the area and the provisions of the current Dublin City Development Plan, 2011 – 2017, it is considered that the further loss of the front boundary wall at the proposed site would be a discordant feature and that by itself and by the precedence it would set, would seriously injure the visual amenities of the area, and would therefore be contrary to the proper planning and sustainable development of the area.

Suzanne Kehely

Planning Inspector

18/03/16