



An  
Bord  
Pleanála

## Inspector's Report PL06D.246648

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| <b>Development</b>                  | Demolish extension, erect new granny flat, new drive way and associated works. 33 Beaufield Park, Stillorgan, County Dublin |
| <b>Planning Authority</b>           | Dun Laoghaire Rathdown Co. Co.  |
| <b>Planning Authority Reg. Ref.</b> | D16A/162  |
| <b>Applicant(s)</b>                 | Don Fallon  |
| <b>Type of Application</b>          | Permission  |
| <b>Planning Authority Decision</b>  | Refuse  |
| <b>Appellant(s)</b>                 | 1. Don Fallon   |
| <b>Observer(s)</b>                  | 1. Helen & Pdraig Kenny   |
| <b>Date of Site Inspection</b>      | 23 <sup>rd</sup> August 2016  |
| <b>Inspector</b>                    | Hugh Mannion  |

## 1.0 Site Location and Description

The application site has a stated area of 0.034ha and comprises one of a pair of semi-detached houses on a corner site at the junction of two residential streets in Beaufield Park, Stillorgan, County Dublin. The subject house has a single storey extension on the south eastern side closest to 32 Beaufield Park (the observers' address). There is a pedestrian entrance facing the front door and a vehicular entrance to the southeast in front of the single storey extension.

Beaufield Park is an older residential area about 150 metres west of Stillorgan Shopping Centre.

## 2.0 Proposed Development

The proposed development comprises the removal of the tiled roof of the existing single storey extension to the side of a two storey house and erection of a first floor extension over. The extension will comprise a granny flat with a new front porch entrance and extended sitting room, retention of the existing driveway for the granny flat and pedestrian gate, new driveway and new vehicular access with piers for existing house and associated works at 33 Beaufield Park, Stillorgan, County Dublin.

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority refused permission;

- The new entrance is narrow, too close to a junction, deficient in sightlines and would be out of character with the area and endanger public safety by reason of traffic hazard.
- The extension is out of scale with the character of the area, would injure the visual amenity of the area and be contrary to its residential zoning objective.
- The separate door and additional vehicular entrance do not meet the requirements for family flat set out in the County Development Plan.

### 3.2. Planning Authority Reports

The planner's report recommended refusal as adopted by the planning authority.

### 3.3. Other Technical Reports

Transport Planning section recommended seeking additional information because the new entrance would require reversing into the public road at a junction which would endanger traffic safety.

### 4.0 Planning History

A rear extension/sun room was granted permission under D07B/0031.

Permission was granted for the existing single storey side extension but refused for an additional access under **PL06D.231789**.

### 5.0 Development Plan

The site is zoned A “to protect and or improve residential amenity” in the Dun Laoghaire Rathdown County Development Plan 2016-2022.

#### **Section 8.2.3.4(iii) ‘Family Member/Granny’ Flat Extension states**

A ‘Family’ or ‘Granny’ flat refers to a temporary subdivision of a single dwelling - often by adding an extension to the dwelling or converting an attached garage - for a subsidiary element, for use by a member of the immediate family (e.g. elderly parent) but not as a fully independent dwelling. These will be assessed against the criteria applied to ‘normal’ domestic extensions. The Planning Authority will generally consider such sub-division and/or extension favourably subject to ensuring no negative impacts on the integrity of the primary dwelling. Applications for granny / family flats within the rural area will be assessed under the provisions of Section 8.2.3.6(vi).

Proposals should be:

- Interlinked with the primary dwelling and capable of being readily subsumed back into same.
- Such that the Planning Authority is satisfied that there is a valid justification for the proposal in use terms.

Permission will normally be on condition that:

- The flat can be subsumed back into the main dwelling when it is no longer required.
- It shall not be let or sold, other than as an intrinsic part of the overall property.
- Where the owner wishes it to remain subdivided on a permanent basis, an application shall be made for sub-division which will be assessed on the more demanding criteria as would be applied to a separate dwelling house.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The applicant's elderly mother will occupy the flat, it is interlinked with the main house, it does not dominate the existing house on site, and it will not be otherwise let or resold.
- The proposal will not overshadow or otherwise impact on adjoining property.
- There are a number of extensions and infill houses in the area.
- The Transport Planning section wanted one of the proposed entrances omitted from the proposal –this can be done by way of condition.

### 6.2. Planning Authority Response

- The proposed development is not in keeping with the pattern of development in the area.
- A development at 17 Beaufield Park differs from the proposed extension in that it follows the building line.

### 6.3. Observations

Helen & Pdraig Kenny of 32 Beaufield Park made the following observations;

- The proposed development would be 4.5m beyond the building line and significantly overshadow the adjoining house at 32 Beaufield Park.
- There have been a number of applications for permission on this site which have progressively negatively impacted on neighbouring property.
- The extension granted in 2008 breaches the front building line – the present application will exacerbate this breach.

- The proposed first floor windows would overlook adjoining property.
- The proposed additional driveway would be a traffic hazard.
- The flat is too large. The drawings are inaccurate.

## 7.0 Assessment

### **New Vehicular Access**

The application provides for a new vehicular access on the southwestern corner of the site. The planning authority's Transport Planning section noted that this entrance is very narrow (it is 2m wide), is located on a corner, and will require 'very difficult access manoeuvres'.

A similar vehicular access/parking space was refused by the Board under PL06D.231789 because it would endanger public safety by reason of traffic hazard.

Having regard to the location of the proposed access on a corner where sightlines are limited and whereby cars would either reverse into over the footpath to drive out or drive into to reverse out through a very narrow opening I conclude that the proposed development would give rise to traffic hazard. Therefore I recommend refusal of the new access.

### **Granny Flat Extension.**

The planning authority refused the granny flat extension because it has a single storey element and two storey element which would be out of character with the area and detract from the street scape. The proposal would therefore contravene the zoning objective "to protect and or improve the residential amenities of the area". The appeal makes the point that there are other extensions in the area and that the granny flat is required by the applicant's aged relative. The observer to the case (lives at 32 Beaufield Park) makes the point that the proposal will break the building line, and overshadow/overlook the observer's property.

The County Development Plan (section 8.2.3.4) sets out the criteria for considering extensions generally; these must avoid overshadowing, overbearing or overlooking of adjoining property, provide rear private open space, be appropriately set back from boundaries and have appropriate external finishes and design. The

Development Plan further requires that 'granny flats' be interlinked with the main house, be for a *bona fide* purpose related to a family member, be capable of being subsumed back into the main house and not be sold/let as a separate unit.

There are examples within the immediate area of Beaufield Park of extensions and the planning authority's report references a particular one at 17 Beaufield Park which is a similar corner site. That extension has a single storey element which also comes forward of the building line established by number 17 but it 'turns the corner' to replicate the building line of number 16 which allows for better integration into the street scape.

There is an existing vehicular entrance and single car parking space in the south eastern corner of the site which will remain unaffected by the proposed development and it appears that a number of houses in the area rely on on-street parking. Because of its corner site location the rear garden is limited and the provision of an additional bedroom would not materially impact on the demand for private open space.

The County Development Plan enumerates the factors which should be considered in assessing extensions – impacts on immediately adjoining property are significant in this context. I consider that the proposal will comprise an overbearing element when viewed from the adjoining house at 32 Beaufield Park. The planning authority correctly states that overlooking from the first floor will be towards the front garden of the adjoining property and therefore not sufficiently significant in amenity impact terms to require refusal. However the extension will bring a longer (by about 1.5m) and higher (by about 2.7) gable wall closer to the boundary with the house to the south east.

The extension will be 1.5m forward of the building line established by the existing house at 33 Beauford Park but the visual impact of this protrusion will be exacerbated as it will not turn the corner but continue out in a straight line. A further feature which will contribute to this visual incongruity is the arrangement of windows particularly at first floor. The window arrangements within Beaufield Park are distinctive and consistent; this pair of houses (33 and 34) are two bay with first floor windows set widely apart. The proposed development proposes windows set closely together which will break this pattern and appear at variance with adjoining houses.

I conclude therefore that the proposed development has had too little regard to the pattern of development in the area, to the residential amenity of adjoining property and to the zoning objective for the area to protect and improve residential amenity

set out in the County Development Plan. Therefore I recommend refusal of permission for the extension.

## **Recommendation**

- 7.1. I recommend that planning permission should be refused for the reasons and considerations as set out below.

### **Reasons and Considerations**

- 1 The application site is located in an area zoned to protect and/or improve residential amenity in the Dun Laoghaire Rathdown County Development Plan 2016 to 2022. The proposed extension which is forward of the building line, too close to the boundary with adjoining property and out of character with the pattern of development in the area would seriously injure the residential amenity of the area and materially contravene the residential zoning objective for the area set out in the County Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
- 2 The proposed new vehicular access would require difficult access manoeuvres on a corner site where sightlines are restricted. The proposed new vehicular access would, therefore, endanger public safety by reason of traffic hazard and be contrary to the proper planning and sustainable development of the area.

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Hugh Mannion  
Planning Inspector  
25<sup>th</sup> August 2016

