



An  
Bord  
Pleanála

## Inspector's Report PL06F.246994

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<b>Development</b>	Demolition of garage and provision of detached 3-bedroom dwelling to side of existing dwelling and all associated site works.
<b>Location</b>	83 Castlefield Woods, Clonsilla, D 15
<b>Planning Authority</b>	Fingal County Council.
<b>Planning Authority Reg. Ref.</b>	FW 16A/0074.
<b>Applicant</b>	Mark Mc Donnell & Peter Woods.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse.
<b>Appellant</b>	Mark Mc Donnell & Peter Woods.
<b>Observers</b>	Wolfgang Stengel.
<b>Date of Site Inspection</b>	26 <sup>th</sup> of September 2016.
<b>Inspector</b>	Karen Hamilton.

## **1.0 Site Location and Description**

1.1. The subject site is an end of street semi-detached two storey dwelling with side garage, private parking and front and rear gardens. To the west of the site is an internal circulation road with a 2m high surrounding block wall. Castlefield Woods is a large residential estate accessed off Clonsilla Road, Blanchardstown.

## **2.0 Proposed Development**

2.1. The main points of the proposal include the following:

- Demolition of existing attached side garage.
- Erection of 3 bed two storey dwelling within side garden.
- Alteration to existing vehicular entrance to facilitate new and existing dwelling.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Decision to refuse permission as it was not in keeping with the character of the surrounding dwellings due to the height design and width of proposed dwelling.

### **3.2. Planning Authority Reports**

The report of the area planner can be summarised as follows:

- The principle of development is acceptable.
- The ridge height of the proposed dwelling is 1.2m below the adjoining dwelling and the width is 0.8 m less. Based on the difference in size and proportion the new unit would be out of character with the area and therefore have a negative impact.

### 3.3. Other Technical Reports

Transport Section: No objection subject to condition.

Water Services: No objection subject to condition.

Irish Water: No objection subject to condition.

### 3.4. Third Party Observations

3.5. Two submissions from neighbours and one from the Residents' Association which may be summarised as follows:

- The proposal is out of character with the surrounding area and would set an undesirable precedence for infill in side gardens.
- There is a traffic safety issue in relation to the proposed access and potential increase in traffic.

### 4.0 Planning History

None to date.

### 5.0 Policy Context

#### 5.1.1. Development Plan **Fingal County Council 2011-2017**

**Strategic Policy:** Consolidate the growth of major centres of Blanchardstown and Balbriggan by encouraging infill at appropriately identified locations.

**O RD 10:** Encourage and promote the development of underutilised infill and backland sites in existing residential areas subject to the character being protected.

**O RD19:** Ensure a separation distance of at least 2.3m provided between side walls of detached, semi-detached and end of terrace units.

**O OS 35:** Minimum separation distance of 22m required above first floor for rear first floor windows in the interest of privacy and overlooking, minimum distance reduced where overlooking or overshadow occurs.

**O OS38:** Minimum open space requirement for 3-bedroom dwelling houses or less to be 60 m<sup>2</sup> behind building line of dwelling

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal from the first party can be summarised as follows:

- The roof has the same profile as those around and may be made higher if desired.
- The dwelling was designed to resemble those adjoining dwellings.
- The dwelling is marginally narrower than adjoining dwellings and respects the building line, materials etc. of other dwellings in the vicinity.
- There is no specification in the plan that new dwellings must be identical.
- The current residential estate is low density and should support infill as it conforms with national and local policy.

### 6.2. Planning Authority Response

Response to reaffirm the impact of the proposal on the surrounding area based on the proposed design of the dwelling and the characteristics of the adjoining dwellings.

### 6.3. Other Party Responses

Third party response requesting that the decision to refuse is upheld as it reflects the concerns of local residents in the vicinity.

#### 6.4. **Observation**

None received.

#### 7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and may be summarised as follows

- Principle of development
- Impact on Visual Amenity
- Impact on surrounding Residential Amenity
- Traffic and Parking
- Appropriate Assessment

##### **Principle of development.**

7.2. The proposal provides for an additional dwelling to the side of an existing semi-detached house. The site is zoned for residential development in the current Development Plan and therefore subject to complying with other planning requirements as addressed in the following sections, the principle of the proposal is acceptable.

##### **Impact on Visual amenity**

7.3. The planning authority's reason for refusal relates to the impact of the proposed development on the visual amenities of the immediate area. The proposed dwelling is for a two storey detached dwelling. The width of the proposed dwelling is 0.6m less than the existing dwelling and the ridge height of the dwelling is 1.2m less than the existing. The elevation dimensions are similar. The demolition of side garage (17m<sup>2</sup>) is to accommodate the proposed dwelling (109m<sup>2</sup>). The floor space of the proposed unit is similar to the existing dwelling (approx. 110m<sup>2</sup>). The building line

along the current streetscape has been respected. The proposed materials are to match the adjoining dwelling.

The most significant deviation in design, from the adjoining units, relates to the roof pitch. To raise the roof to match the adjoining dwelling would lead to a disproportioned dwelling. I consider the applicants have attempted to design the dwelling so far as possible that it respects the design of the adjoining property. I do not consider the difference in scale and proportions of the proposed dwelling would render the development visually obtrusive and incongruous with the existing pattern of the area.

### **Impact on Residential Amenity**

- 7.4. The subject site is at the end of a row of semi-detached and has a garage and side garden. It is larger than the majority of sites in the overall estate and capable of accommodating additional development such as side extension and/or garage. The number of remaining sites with large side gardens similar to the appeal site is limited.

The minimum open space (60 m<sup>2</sup>), car parking and rear separation distances have been provided. The proposed development complies with the development management standards of the development plan. Based on the orientation of the proposed dwelling and the distance from the rear dwelling of approx. 22m, there should be no overlooking, overshadowing or overbearing on any other properties. I consider that this proposal would have any serious negative impact on adjoining residential amenities.

### **Traffic and Parking**

- 7.5. There have been no issues raised in relation to the access or parking. The proposed development includes reconfiguration of existing vehicular entrance to facilitate new access. Two parking spaces have been provided for both the existing and proposed dwelling as per Development Plan Standards. The Transportation Section of the local authority recommended conditions on restriction of height of the boundary treatment

to ensure the precision of acceptable sightlines. I consider it reasonable to condition the restriction on boundary treatment to ensure the safe access and regress of cars.

### **Appropriate Assessment**

- 7.6. Having regard to the nature and scale of the proposed development within an existing serviced area and separation distance 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 the conservation objectives of any European site.

### **8.0 Recommendation**

GRANT permission for the reasons and considerations as set out below.

### **9.0 Reasons and Considerations**

Having regard to the nature, scale and design of the proposed development, to the residential zoning of the site as set out in the current Development Plan for the area and to the existing pattern of development of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character 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.

#### **9.1. 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 prior to commencement of development and the development shall be carried out and completed out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The existing boundary hedge shall be reduced to a height of 0.9m for a distance of 2m to either side of the proposed and existing vehicular entrance. The proposed dividing wall/ boundary treatment shall not exceed 0.9m in height.

**Reason:** In the interest of traffic safety.

3. Prior to commencement of development the applicant shall agree in writing the footpath works and the relocation of any services with the planning authority. The applicant shall carry out these works at their own expense.

**Reason:** In the interest of traffic safety and the proper planning of the surrounding area.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation



provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

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Karen Hamilton  
Planning Inspector

10<sup>th</sup> of October 2016