



An
Bord
Pleanála

Inspector's Report PL29S.247011

Development :	Construction of a mews dwelling, within the curtilage of a Protected Structure, with associated works
Location :	12 Highfield Road, Rathgar, Dublin 6
Planning Authority :	Dublin City Council
Planning Authority Reg. Ref. :	4160/15
Applicant(s) :	John Purcell
Type of Application :	Planning Permission
Planning Authority Decision :	Granted
Appellant(s) :	Cathy Booth and Others
Observer(s) :	None
Date of Site Inspection :	14 th October 2016.
Inspector :	L. W Howard.

1.0 Site Location and Description

- 1.1 No.12 Highfield Road is located at the junction of Highfield Road and Highfield Grove, Rathgar, Dublin 6. No.12 is occupied by an understood late nineteenth century, Victorian, red brick, 3-bay, 2-storey, detached house, which is listed as a Protected Structure within the Dublin City Development Plan 2011-2017
- 1.2 The c.257m² application site comprises a portion of the rear garden of No. 12 Highfield Road. At present, a single storey garage / shed exists to the rear, southern end of the site. This garage opens onto Highfield Grove.
- 1.3 The application site is well screened on all sides, by way of boundary walls to the east and south, by mature trees and shrubs to the west, and to the north by the protected structure itself. The eastern boundary fronts directly onto Highfield Grove, which feeds into Highfield Road at its junction c.35m to the north. No road markings are apparent along Highfield Grove.
- 1.4 A laneway runs east - west along the rear / southern boundary of the property. Whilst gated at its opening onto Highfield Grove, this laneway enables limited access to the rear yards of the northernmost range of terraced cottages of Highfield Grove.

2.0 Proposed Development

- 2.1 Demolition of a single storey garage / shed, located within the southern half of the rear garden of No.12 Highfield Road.
- 2.2 Construction of a 2-storey, 3-bedroom dwellinghouse.
- 2.3 A vehicular entrance is proposed from Highfield Grove, and one onsite car parking space, located at the existing shed / garage access point. This space will be screened by a sliding gate, to be consistent with the height of the site's eastern boundary wall.
- 2.4 A further pedestrian access onto Highfield Grove. Limited removal of portion of the existing boundary wall will be required to accommodate this.

3.0 Planning Authority Decision

3.1 Decision :
PL29S.247011

3.1.1 Decision to Grant Planning Permission, subject to 9no. generally standard Conditions. Noteworthy however, are the following Conditions :

C.7(2) Relocation of lamp standard.

3.2 Planning Authority Reports

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

3.2.1 Concerns regarding the scale of the building, the extent of the blank western facade and the glazing on the eastern elevation, are considered to have been satisfactorily addressed by the revised plans submitted by the applicant, in response to the request for further information.

3.2.2 On site car parking and open space provision complies with Development Plan Standards.

3.2.3 Visibility for cars exiting the driveway has been improved by the use of a timber fence / gate, and the angulation of the vertical fins comprising the new structure, towards the direction of traffic along Highfield Grove, as proposed by the applicant in the further information submission. This is considered to be satisfactory.

3.2.4 External finishes considered acceptable.

3.2.5 No Appropriate Assessment issues arise.

3.2.6 Recommend Grant, as per the Decision.

3.3 Other Technical Reports

3.3.1 Internal :

Road and Traffic Planning Division :

- No objection, subject to Conditions.

Drainage :

- No objection

Conservation Officer :

- Concern that due to its height and massing, the proposed development will have a significant impact on the Protected Structure, and the adjacent Protected Structures, which do not have long back gardens.

- Having regard to the size limitation of the site, located within a Residential Conservation Area, a single storey building might be considered a more appropriate solution for this setting.

3.3.2 External :

None.

3.4 Third Party Observations

3.4.1 A large number of 3rd party submissions were received by the Planning Authority, both from local individual property owners, and from Residents Associations. The issues argued included :

- the bulk and scale of development
- the impact on adjoining Protected Structures and their curtilage's
- negative impact on the architectural character of the area, and Protected Structures. The proposed development is not in keeping with the existing character.
- traffic implications
- the proposed provision for only one car spacing
- the restrictive width of the laneway. The present 4.6m is below the minimum width set out in the City Development Plan 2011 of 4.8m
- disruption locally during construction
- the precedent it would set locally in the area
- the proposed development cannot be described as a mews dwelling
- the proposed development will be higher than the existing chimney stacks on Highfield Grove
- the proposed development is not in keeping with the Conservation

Area

- the existing Drainage System locally is already at full capacity
- the position of the existing street light would require repositioning. This is not addressed in the applicant's submission
- height of development is greater than the cottages to the south
- the insufficient provision of private open space
- the negative impact on the existing Highfield Grove cottages by way of overshadowing
- insufficient separation distance between the proposed and existing house

4.0 Planning History

None.

5.0 Policy Context

5.1 Development Plan

5.1.1 Dublin City Dev. Plan (2011 – 2017) :

Relevant provisions include (see copies attached):

15.10 Primary Land-Use Zoning Categories

Zoning Objective Z2 – ‘Residential Neighbourhoods (Conservation Areas)’ – “To protect and / or improve the amenities of residential conservation areas” (pg.193).

The General Objective – “... to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area” (pg.194).

Z2 Permissible Uses – include Residential.

17.9.1 Residential Quality Standards

17.9.7 Infill Housing

17.9.14 Mews Dwellings

17.10.2 Development within the Curtilage of a Protected Structure

17.10.8 Development in Conservation Areas and Architectural Conservation Areas

Note : Dublin City Council have notified that the new Dublin City Development Plan 2016-2022 has been adopted. Notice of the effective date is anticipated.

6.0 Natural Heritage Designations

None.

7.0 The Appeal

7.1 Grounds of Appeal

The grounds of appeal can be summarised as follows :

7.1.1 Access :

- Section 17.9.14(q) of the City Development Plan 2011 states a potential mews laneway must have a minimum carriageway width of 4.8m. However, the existing road has a carriageway width of 4.6m.
- The Roads and Traffic Planning Division acknowledge this. However, they appear to overlook this, without justification, concluding that a vehicular access at this location, would not constitute a traffic hazard.
- Having regard to the road geometry and of the proposed entrance, it is argued that access onto the site cannot be achieved in one manoeuvre, and that exiting the proposed development would be even more hazardous.
- Although the proposed vertical fins would improve visibility from the south, no visibility is possible to oncoming traffic approaching along Highfield Grove from the north. This is in conflict with Section 17.9.7 of the City Development Plan 2011, which provides that infill housing shall have a safe means of access and egress, which does not result in creation of a traffic hazard.
- A blind access to a narrow road is not safe.

7.1.2 Height of Proposed Development :

- Having regard to Section 17.9.6 of the City Development Plan 2011, the proposed development, even at reduced size, will be clearly visible above the roofline of No's. 18,19 and 20 Highfield Grove, when viewed from the south.
- This visibility is contrary to Section 17.9.6 of the City Development Plan 2011.

7.1.3 F.I. Reduction in size and impact :

- Whilst noting the applicants F.I. reduction in size and impact of the proposed development, the City Conservation Report stated that a single storey building might be considered a more appropriate solution.

7.1.4 Z2 Zoning Objective – “to protect / or improve the amenities of residential conservation areas” :

- The proposed contemporary house in rear garden development, will have a negative impact on the unique character of Highfield Grove.

7.2 Planning Authority Response

None.

7.3 Applicants Response

7.3.1 Access :

- The existing road passed the site from Highfield Road to Highfield Grove, is not a 'mews laneway', as provided in the City Development Plan 2011.
- Rather, the lane to the south of No.12 Highfield Road may be a 'mews'. However, this lane offers private access only, and is not proposed for access by the proposed development.
- The proposed access is located on a public road, with a footpath, and positioned at the same point as an existing garage door opening.
- The City Planners report has regard to the proposed development as "in the rear garden", as the site does not have a mews lane to its rear. The 4.8m minimum carriageway for a mews lane, as set out in the City Development Plan 2011, does not therefore apply to the proposed access road.
- Having regard to the location of the new sliding gate, the carriageway width is over 5.1m, at the proposed entrance.
- The City Roads and Traffic Planning Department substantiated their opinion as follows :
 - although less than 4.8m wide, Highfield Grove is an established vehicular access route.
 - Highfield Grove as a cul-de-sac, has a limited number of traffic movements, and no through traffic.
 - Pedestrians using the access are familiar when the location and local context.
 - The access will not be used by the general public.
- Drawing 1505-P-203 clearly shows the ability to manoeuvre a vehicle at this junction on Highfield Grove, in compliance with minimum requirements set out in the 'Design Manual for Urban Roads and Streets – (2013)', and 'A Policy on Geometric Design of Highways and Streets – (2004).
- The issue of visibility was addressed with the Planning Authority by way of F.I. Consultation. The Council approved the F.I. amendments in their decision to grant planning permission. Whilst the City Roads and Traffic Planning Department did not comment directly on this issue, their earlier comments made regarding limited traffic movement and familiarity of access are relevant in terms of the safety of the existing road and the extent of visibility required.

- Safe and suitable visibility is provided towards the southern approach, with the inclusion of “a bespoke, vertical fin structure”. This inclusion is necessary here, due to the proximity of the access point to the adjacent corner. This issue does not exist to the northerly approach, where the proposed access point is situated a safe distance from the nearest junction.

7.3.2 Height of Proposed Development :

- 3D modelling has successfully demonstrated that at no point will the new dwelling be visible above the roof line of Nos'. 18, 19 and 20, when viewed from the south.
- ‘Perspective 1’ at Drawing No. 1505-P-201C, demonstrates the proposed development’s lack of visual impact on the existing Highfield Grove properties
- ‘Overshadowing’ – The ‘Sunlight Analysis Study’ at Drawing 1505-P-202 A, demonstrates that no overshadowing impact will result on the existing Highfield Grove properties.

7.3.3 Design and Scale :

- Several successful projects exist locally, for similar 2-storey contemporary homes built within a comparable historic context. These include :
 - **2254/04** – at 47 Villiers Road, Rathgar,
 - **3631/15** – at 73 Highfield Road, Rathgar, and
 - **5942/05** – at 54 Garville Avenue, Rathgar
- Clarify that locally :
 - Highfield Grove is defined by 2-storey housing on its eastern side.
 - Highfield Road is home to a series of 3-storey dwellings
- The proposed design enables mediation between the scale of Highfield Grove and Highfield Road, whilst minimising impact on the existing context.

7.3.4 Impact of Contemporary House :

- Having regard to the massing, scale and materiality of the proposed dwelling, satisfactory compliance with the General Objective for the Z2 Zoning Objective has been achieved
- Documentation submitted demonstrates that the proposed dwelling has been designed, so as not to be a visually obtrusive or dominant form of development.
- In addition to the proposed scale reduction, and minimisation of impact on the immediate environment, the applicant highlights that external

features such as the New Chailey stock brick and timber detailing have been selected, so as to complement the existing context.

- The contemporary new dwelling proposed, subscribes to appropriate conservation practice by avoiding the appearance of “affected pastiche”. Instead, the new dwelling integrates subtly within a historic neighbourhood
- Reference a previous project by ‘Box Architecture Ltd.’, at Portobello, Dublin 8, which demonstrates successful integration of a new contemporary building within a historical setting. This project delivered a new office space within the streetscape of red brick terraces.

7.4 Observations

None

8.0 Assessment

8.1 I have examined the file and available planning history, considered the prevailing local and national policies, physically inspected the site and assessed the proposal and all of the submissions. The issue of appropriate assessment also needs to be addressed. The following assessment covers the points made in the appeal submissions, and also encapsulates my *de novo* consideration of the application. The relevant planning issues relate to :

- Principle and Location of the proposed development.
- Visual Amenity Impact / Streetscape – Highfield Road and Highfield Grove.
- No.12 Highfield Road – Protected Structure.
- Residential Amenity Impact.
- Road Access and Traffic Safety.
- Appropriate Assessment.

8.2 Principle and Location of the proposed development :

8.2.1 I believe the planning ‘principle’ of residential development at No.12 Highfield Road has been established. Clearly zoned “Z2 – Residential Neighbourhoods (Conservation Areas) – To protect and / or improve the amenities of residential conservation areas”, the applicable zoning matrix designates residential land use as being permitted in principle within the zone. I note that none of the PA, City Conservation Officer, or 3rd Party Appellant and Objectors interests contest this. However, in terms of the Z2 zoning objective the primary consideration is to, whilst enabling residential development, ensure the protection and improvement of the amenity prevailing in the contextual, established Highfield Road / Highfield Grove residential

conservation area. Specifically, the Z2 General Objective seeks to protect from unsuitable new developments, or works that would have a negative impact on the amenity, or architectural quality of the area.

8.2.2 Application was made for a 2-storey mews dwelling in the rear garden of a Protected Structure, and accordingly publically advertised. However, I share the view made by both the Planning Authority and the 3rd party objectors that the proposed development is not truly a mews development. Rather, I agree that the proposed new dwellinghouse would be more accurately considered as a new domestic dwellinghouse located in the rear garden of No.12 Highfield Road. Firstly, having regard to Section 17.9.14 – “Mews Dwellings”, of the Dublin City Development Plan 2011, the application site does not in my view, have a mews laneway to the rear. Whilst a narrow laneway does exist to the rear of No.12, this is limited in its scope, is gated and understood is a private laneway related specifically to the rear yards of the row of single storey terraced houses comprising Highfield Grove. No opening from No.12, through the rear boundary wall onto the rear laneway, is apparent. Accordingly, I understand that this laneway would not be available for use by the applicant. Secondly, the existing narrow laneway is not proposed to enable access onto the proposed development. Rather, access is proposed off Highfield Grove, a public road, with the entrance positioned at the same point as the existing garage door opening onto Highfield Grove. Accordingly, having regard to the location, composition and orientation of the proposed development, I share the Planning Authority view that direct reference to Section 17.9.14, in consideration of the proposed development, would not be relevant.

8.2.3 The challenge to the applicant therefore, having regard to architectural and planning design principle, and the relevant requirements of the Dublin City Development Plan 2011, is to ensure their proposed new dwellinghouse development, has no disproportionate adverse impact on the scale & character of existing No.12 – Protected Structure itself, and no unacceptable impact on the amenities enjoyed by the surrounding neighbours.

8.2.4 Having regard to the discussions below, I believe that the proposed development is sufficiently compliant with the relevant provisions of the Dublin City Development Plan 2011, and subject to Conditions, would be in accordance with the proper planning and sustainable development of the Highfield Road / Highfield Grove Conservation Area.

8.3 Visual Amenity Impact / Streetscape – Highfield Road and Highfield Grove:

- 8.3.1 The sense of place of the Highfield Road and Highfield Grove residential conservation neighbourhood is clearly influenced by the historical architectural style, design, and general finishing with respect to materials and colouring of the existing predominantly 2-3 storey houses, all set in a local, low density, topographical and environmental context. The historical background to, and the evolution of this neighbourhood has been clearly chronologed and described in some detail, by the applicant, c/o John Cronin and Associates (December 2015). An understanding of this neighbourhood is further assisted by the Dublin City Conservation Officer in their report dated 02/02/2-16. All parties to the current case, in my view, aspire to preserve this amenity.
- 8.3.2 I have taken note of the established, contextual scale and pattern of residential development along Highfield Road generally, and proximate to No.12 specifically. What is certain in my view, and having regard to my own observations made at the time of site visit, is that as one moves along Highfield Road, no reasonable intervisibility is possible, of the rear of any of the houses, and including and specifically, the rear of No.12.
- 8.3.3 Consequently, I share the view of the Planning Authority and the applicant, that the new single, domestic, dwellinghouse development, to be located in the rear garden of No.12, would have no bearing on the established unique architectural character and streetscape of Highfield Road, in accordance with the Z2 zoning objective and the proper planning and sustainable development of the area.
- 8.3.4 With respect to Highfield Grove however, where the existing eastern boundary of No.12 is defined by granite boundary walling with a single storey garage, and from which access is proposed, change must reasonably be expected. I note that mitigation of visual impact, particularly along Highfield Grove, was a priority concern of the City Conservation Officer, and having regard to the two-storey dwellinghouse initially proposed. In response, I note that a substantive reduction in the size, height, scale and composition of the proposed dwellinghouse has been achieved by the applicant, and submitted in response to the concerns of the City Conservation Officer and of the Planning Authority, by way of Further Information (F.I.).
- 8.3.5 Having regard to the revised architectural drawings submitted as F.I. by the applicant, I believe that no disproportionate negative impact will result, on the Highfield Grove streetscape and associated visual amenity. Satisfactory mitigation in my view is enabled by :
- the reduction in size, height and scale of the proposed house,
 - the retention of the majority portion of the existing granite boundary wall as screening,

- that existing planting exists in the rear garden of No.12 which must reasonably be expected to be supplemented with new landscaping and planting associated with the proposed development, and
- that a garage opening enabling vehicular movement onto and off Highfield Grove, already exists along the sites eastern boundary wall.

8.3.6 Further, I have had regard to the argued concerns by the 3rd party appellant and objectors, that visibility of the proposed development from within Highfield Grove above the roof line of No's. 18, 19 and 20 particularly, would be contrary to Section 17.9.6 of the City Development Plan 2011. In response, having regard to both my own observations at the time of site visit, and to the applicant's "Perspective 1" at Drawing No. 1505-P-201C and supplementary documentation submitted as F.I., I am satisfied that the proposed new dwellinghouse would not be visible from within Highfield Grove. The fact that the house is proposed with a flat-roof, directly contributes to limitation and mitigation of visual impact. Rather, I believe it would be the existing Protected Structure on No.12, which would be just visible, together with the other similar houses along this building line fronting onto Highfield Road. Further, I am inclined to believe that Section 17.9.5 – "Backland Development" and Section 17.9.7 – "Infill Housing" of the City Development Plan 2011 would be the more relevant policy references, in consideration of the proposed development, noting the application site location in the rear garden of No.12. However, even with the supplementation of Section 17.9.6, I believe no disproportionate negative visual impact will result on the residents of Highfield Grove.

8.3.7 Accordingly, subject to compliance with the revised architectural drawings submitted by the applicant as F.I., I conclude no disproportionate negative visual amenity impact will result, and the proposed development would be in accordance with the Z2 zoning objective, and the proper planning and sustainable development of the area.

8.4 No.12 Highfield Road – Protected Structure :

8.4.1 By definition, a Protected Structure includes the land lying within the curtilage of the Protected Structure, and other structures within the curtilage. Therefore, this includes the existing garage structure to be demolished. Having regard to Section 17.10.2 – "Development within the Curtilage of a Protected Structure" of the Dublin City Development Plan 2011, I believe that no serious impact will result on the existing detached house at No.12, as a Protected Structure. The proposed demolition of the existing garage structure, is acceptable.

- 8.4.2 I affirm my view at 8.3 above, that the applicants revised and downsized / scaled architectural drawings submitted as F.I., reasonably and satisfactorily address the concerns expressed by the City Conservation Officer particularly, and with reference to potential impacts on the existing detached house at No.12, as a Protected Structure.
- 8.4.3 Accepting that some impact and consequent change is unavoidable, I am of the view that aesthetically, the proposed new dwellinghouse has been designed, so that it stands on its own modestly, as a more contemporary element, clearly legible as new work, and thus subordinates itself to and respects the integrity of the existing house at No.12, as well as others in the local neighbourhood. In this regard, I accept as reasonable, the applicant's argument that the proposed new dwellinghouse demonstrates considered appropriate architectural conservation practice, "by avoiding the appearance of affected pastiche, instead subtly integrating within a historic neighbourhood". In my view, the applicant has reasonably, successfully minimised the extent of their both indoor and outdoor domestic living space required comprising the proposed new dwellinghouse, in order to reduce the impact on the original house at No.12 as Protected Structure, and on the neighbouring Protected properties, whilst still ensuring satisfaction of their requirements for accommodation of a size and composition consistent with modern living and having regard to their domestic liveability needs. The modest, detached single house, is also proposed set back into the rear garden, away from the existing house, whilst sufficiently separated from the houses at Highfield Grove to the south.
- 8.4.4 I am satisfied that the applicant's revised and downscaled architectural design, size, height, scale and composition of the proposed new single dwellinghouse located in the rear garden of No.12, submitted as F.I., and the associated materials, colouring and finishing proposed, will help to emphasise the distinction between new and original, whilst mitigating the impact of the new house. Having regard to the concerns expressed by each of the City Conservation Officer and the 3rd party appellant, I note and accept as reasonable, the applicant's argument that this revised design successfully enables a mediation between the scale of Highfield Road to the north, and Highfield Grove to the south, whilst minimising and mitigating impact on the existing local context.
- 8.4.5 Accordingly, I am inclined to the conclusion of the resultant change to the rear of No.12 – Protected Structure, as modest, would not result in a disproportionate negative impact on the appearance or setting of the existing house as Protected Structure. I believe that the proposed development would

be in accordance with the Z2 zoning objective, and the proper planning and sustainable development of the area.

8.5 Residential Amenity Impact :

8.5.1 Having regard to all of the information available, and prioritising the applicants revised architectural drawings and associated documentation submitted as F.I., I am of the view that the proposed new detached dwellinghouse located in the rear garden of No.12 Highfield Road, will have no serious, or disproportionate negative impact on this prevailing residential amenity. In this regard, I have given consideration to potential threats to residential amenity consequent of : visual obtrusion, loss of natural light or overshadowing, overlooking or freedom from observation, noise, onsite private amenity / leisure space, in situ views and outlooks, on-site car parking, and access and traffic safety.

8.5.2 I do acknowledge the potential for negative impact of construction activity on contextual residential amenity, whilst site works and construction activity are on the go. However, I consider that these impacts are only temporary, are to facilitate the completion of the proposed development, and certainly cannot be regarded as unique to this modest development. Further, I consider that given these impacts are predictable and to be expected, they can be properly and appropriately minimised and mitigated by the attachment of appropriate conditions to a grant of permission, should the Board be mindful to grant permission, and deem such mitigation of negative impact necessary.

8.5.3 Consequently, I believe the proposed development is satisfactorily compliant with the Zoning Objective “Z2 – To protect and / or improve the amenities of residential conservation areas”, and accordingly would be in accordance with the proper planning and sustainable development of the area.

8.6 Road Access and Traffic Safety :

8.6.1 The suitability of any site for residential development will be determined amongst others, with reference to traffic hazards caused by development and additional access onto public roads. Highfield Grove is effectively a quiet local cul-de-sac, serving the local residents receiving direct access from it. At present, a single storey garage already exists to the rear garden of No.12 Highfield Road, and which opens directly onto Highfield Grove. A vehicular entrance is proposed from Highfield Grove onto the application site, and one onsite car parking space. This proposed entrance will effectively replace the existing garage access point. This space will be screened by a sliding gate, to be consistent with the height of the site’s eastern boundary wall.

8.6.2 Firstly, and having regard to the discussion at 8(2) above, I affirm that that section of Highfield Grove passed the application site's eastern frontage, is not a "mews laneway", as provided for at Section 17.9.14 – "Mews Dwellings" of the City Development Plan 2011. Accordingly, I agree that the 4.8m minimum carriageway for a mews lane, as set out in the City Development Plan 2011, is not relevant to Highfield Grove. The 3rd party appellant's arguments against the proposed development in this regard therefore, cannot be sustained.

Further, I accept as reasonable, the applicant's clarification that having regard to the location of the new sliding gate, the Highfield Grove carriageway width would be improved to over 5.1m, at the proposed entrance. At the point of anticipated vehicular movements onto and off the site, this improvement in local road geometry and capacity, will positively enable traffic safety in the public interest.

Contrary to the arguments made by the 3rd party appellant regarding the substandard capacity of Highfield Grove to safely sustain the proposed development, I share the applicant's conviction that rather than overlooking the width and capacity of Highfield Grove without justification, the City Roads and Traffic Planning Department in fact substantiated their positive opinion as follows :

- that although less than 4.8m wide, Highfield Grove is an established vehicular access route,
- that Highfield Grove as a cul-de-sac, has a limited number of traffic movements, and no through traffic'
- that pedestrians using the access are familiar with the location and local context, and
- that the access will not be used by the general public.

In further consolidation of this, I note that Drawing 1505-P-203 clearly demonstrates the ability to safely manoeuvre a vehicle through this domestic junction on Highfield Grove, in compliance with minimum requirements set out in the references "Design Manual for Urban Roads and Streets – (2013)" and "A Policy on Geometric Design of Highways and Streets – (2004)".

8.6.3 I am satisfied that sightline visibility is satisfactory along the northerly approach from Highfield Road, along Highfield Grove towards the proposed entrance. In addition, visibility along the southerly approach along Highfield Road has been satisfactorily addressed by the revised proposals submitted by the applicant as F.I., which included the angulation of the vertical fins comprising the new corner element, towards the direction of traffic

approaching along Highfield Grove. This will enable transparency and improved intervisibility between the private the private driveway and Highfield Grove. I share the Planning Authority conclusions that these revised drawings submitted as F.I. would result in improved sightline visibility and consequently traffic safety.

8.6.4 In addition, I do not consider that the proposed single detached dwellinghouse development is going to introduce sufficient quantity and frequency of traffic onto Highfield Grove so as to be a threat to public safety by way of traffic hazard. I note that the applicant has committed to the provision of one on-site parking space within the confines of the site. This is in compliance with the requirements of the City Development Plan 2011 Standards. No on-street car parking is apparent. Accordingly, I believe it reasonable to expect that additional traffic generated by the proposed development, and moving up and down Highfield Grove will correspond directly with the quantity of onsite car parking spaces proposed. Therefore, at the most, one additional vehicle onto and off Highfield Grove must reasonably be expected. This is clearly, no different from the status quo.

8.6.5 Accordingly, I affirm the proposed development with direct vehicular and pedestrian access onto Highfield Grove, to be satisfactory from a traffic safety point of view, and in accordance with the proper planning and sustainable development of the area.

8.7 Appropriate Assessment :

8.7.1 Having regard to the nature and scale of the proposed development, to the location of the site within a fully serviced urban environment, and to the separation distance to any 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.

9.0 Recommendation

9.1 I recommend that planning permission should be granted for the reasons and considerations as set out below.

10.0 Reasons and Considerations

10.1 Having regard to the zoning Objective “Z2” for the area as set out in the Dublin City Development Plan 2011-2017 and the pattern of residential development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Development Plan, would not seriously injure the amenities of the Highfield Road / Highfield Grove neighbourhood or of property in the vicinity, would not be prejudicial to public health 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.

11.0 Conditions :

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 20th day of June 2016, 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 in accordance with the agreed particulars.

Reason : In the interest of clarity.

2. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including :

- hours of working,
- noise management measures,
- measures to prevent and mitigate the spillage or deposit of debris, soil or other material on the adjoining public road network, and
- off-site disposal of construction/demolition waste.

The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason : In the interests of public health and safety and residential amenity.

3. All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, including the

relocation of the existing lamp standard / utility pole, shall be at the expense of the developer.

Reason : In the interest of the proper planning and sustainable development of the area.

4. Water supply and drainage arrangements, including the attenuation and 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason : In the interest of visual amenity.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason : In the interests of visual and residential amenity.

7. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwellinghouse, without a prior grant of planning permission.

Reason : In the interest of residential and visual amenity, and in order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwelling.

8. 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

L W Howard
Planning Inspector

20th October 2016