



An
Bord
Pleanála

Inspector's Report PL.06D.247076.

Development	Permission for garage to side of house
Location	3 Hillview Cottages, Pottery Road, Dún Laoghaire, Co. Dublin
Planning Authority	Dún Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D16B/0259
Applicant(s)	Sean Cullen & Gillian Mills
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellants	Sean Cullen & Gillian Mills.
Observers	None
Date of Site Inspection	25 th October 2016
Inspector	Dáire McDevitt.

1.0 Site Location and Description

- 1.1 The site consists of a semi-detached cottage (No. 3 Hillview Cottages) located along Pottery Road and forms part of a row of five pairs of semi-detached cottages known as Hillview Cottages.
- 1.2 No. 3 Hillview Cottages has been extended and altered extensively to date. There is a wide passage to the north adjacent to No. 2 Hillview Cottages. The party boundary is formed by a wall and vegetation.
- 1.3 There is a temporary frame erected in the side passage which is used to hold a cover over a boat which is parked up on site. The frame is not indicative of the height of the proposed garage.

2.0 Proposed Development

- 2.1 Permission is being sought for a garage (g.f.a of 55 sq.m and height of 4.6m) to the side of the existing house. The garage would have an internal link to the house and is for the storage of a boat (referred to as a vessel by the applicant). It is proposed to use timber cladding for the external finish of the structure and a part mansard roof tied into the side of of the cottage.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission on the grounds of overbearing and visually obtrusive due to the design, scale and height which is out of character with the area

3.2. Planning Authority Reports

3.2.1. Planning Report (28th July 2016)

This Report forms the basis for the Planning Authority's decision and the main issues are highlighted below:

- Visual Impact
- Residential Amenity.

3.2.2. **Other Technical Reports**

Municipal Services Department. Drainage Planning: No Objection.

3.3. **Third Party Observations**

None

4.0 **Planning History**

None recorded

5.0 **Policy Context**

5.1. **Dún Laoghaire Rathdown County Development Plan 2016-2022**

- Site is zoned under Land Use Objective 'A' To protect and/or improve residential amenities.
- Chapter 8. Principles of Development
- Section 8.2.3.4 Additional accommodation in existing built up areas,
 - (i) Extensions to Dwellings.

This includes details regarding overshadowing, overlooking and overbearing appearance, extent of private amenity space to be retained, degree of set back from mutual side boundaries, external finishes and design

5.2. **Natural Heritage Designations**

None of relevance

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are summarised as follows:

- The shed is designed to accommodate the storage and repair of a vessel (boat).
- When the vessel (boat) is restored the structure will be used for the storage of fuel.
- The original cottage has already been the subject of extensive refurbishment and extensions.
- The garage would be lower than the original cottage and its rear extension and would not be visually overbearing or obtrusive from any view point.
- Pottery Road in general is a mix of developments and its character is defined by its wide variety of single and two storey houses along the western side and by a large industrial complex along the eastern side.
- Any view of the proposed garage would be screened by the mature hedges that form the front and side boundaries.

6.2. Planning Authority Response

Refer to the original Planner's Report as issues covered in this Report.

6.3. Observations

None

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal. I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Visual Amenity

- Appropriate Assessment

7.1 Visual Amenity

- 7.1.1 The applicant has argued that the visual impact of the proposed development would be minimal when viewed from the surrounding area due to the existing mature hedge boundary along the front of the site and a wall with creepers which forms the side boundary with the adjoining property, No. 2 Hillview Cottages, located to the north of the proposed garage. The proposed garage would be lower in height than the original cottage and its rear extension. The building line would be set back 1 metre from the front building line of the cottage.
- 7.1.2 The design and scale of the garage is dictated by its proposed use. The main purpose initially is for the storage and restoration of a boat (8.1 metres in length and deck height of 2.1 metres). The design of the roof would assist in reducing the visual impact of the garage.
- 7.1.3 The Planning Authority decided to refuse permission on the grounds that the scale, height and design of the proposal would appear overbearing and visually obtrusive when viewed from Pottery Road and the adjoining residential property to the north (No. 2 Hillview Cottages).
- 7.1.4 The original character of Pottery Road and the integrity of the 10 cottages which form Hillview Cottages has been extensively altered over time due to numerous properties being altered and extended. Opposite the row of cottages there is an extensive industrial complex.
- 7.1.5 The scale and design of the structure is considered acceptable having regard to the scale and design of the existing house on site and that of the surrounding area. The proposal would not detract from the character of Pottery Road.
- 7.1.6 I am of the opinion that the proposed garage would not be visually overbearing or obtrusive when viewed from the surrounding area due to the extensive screening in place along the roadside and the northern boundary with no. 2 Hillview Cottages.
- 7.1.7 I therefore disagree with the Planning Authority's decision and recommend that permission should be granted.

7.2 Appropriate Assessment

7.2.1 Having regard to the nature and scale of the development and proximity to the nearest Natura 2000 site, I am satisfied that the proposed development either individually or in combination with other plans and projects would not be likely to have a significant effect on any designated Natura 2000 site and should not be subject to appropriate assessment.

8.0 Recommendation

8.1. I recommend therefore that permission be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the current Dún Laoghaire Rathdown County Development Plan 2016-2022, to the pattern of development in the area and to the nature, form, scale and design of the proposed development, 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. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The garage shall be not be used for any purpose other than a purpose incidental to the enjoyment of the house as such.

Reason: To protect the amenities of property in the vicinity.

3. Details of external finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

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 and to ensure a proper standard of development.

5. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 to 1400 hours on Saturdays and not at all on Sundays and Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

6. 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 the

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.

Dáire McDevitt
Planning Inspector

26th October 2016