



An
Bord
Pleanála

Inspector's Report PL61.247152

Development	Retention of increased width of site entrance and all associated site works
Location	53 Grattan Park, Salthill, Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	16/174
Applicant(s)	Kilian & Paula Colleran
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	Kilian & Paula Colleran
Observer(s)	None
Date of Site Inspection	24 th of November 2016
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. No 53. Grattan Park is a detached two storey, extended dwelling located on the northern side of a cul-de-sac road within Grattan Park, Salthill. This is a suburban area to the south west of Galway city. Grattan Park is accessed via the coast road Grattan Road.

2.0 Proposed Development

- 2.1. Permission is sought to retain the increased width site entrance.

A Site Layout Map and floor plans of the previously permitted extension have been submitted.

3.0 Planning Authority Decision

3.1. Decision

On the 4th of August 2016, Galway City Council refused planning permission for the retention development for the following reason:

The retention of the widened vehicular entrance, resultling in the loss of the majority of the front boundary of a residential dwelling, would be contrary to Section 11.3.1(g) of the Galway City Development Plan 2011-2017, which requires that: “vehicular entrance shall not normally exceed 3 metres in width, and where feasible the maximum extent of boundary wall/hedging shall be retained”, and if permitted, would adversely impact upon the residential and visual amenities diminishing the appearance of the estate presenting as a ‘gap tooth’ in a line of boundary walls. This is out of keeping with the established character and architectural symmetry of the housing estate.

3.2. Planning Authority Reports

3.2.1. Planner’s Report

This had regard to the location context of the site, planning history and policy. It noted that there was a split decision relative to permission Reg.Ref.15/348 which

granted permission for an extension but refused permission for the widened vehicular entrance on this site. They note that the current application for the access is identical to that previously submitted. They have regard to the restrictions imposed on the width of vehicular entrances in Section 11.3.1(g) of the Galway City DP and note that in this case the entrance has been widened to 6m from 3.2m, which would not meet development plan requirements. They provide that the existence of unauthorised entrances in the area does not implicitly allow the consideration of additional unacceptable developments. The established form of development in the area is for retention of the front boundary wall and this proposal diminishes the visual amenities and is not acceptable and they recommend refusal.

3.2.2. *Other Technical Reports*

The Drainage Section has no objection in relation to surface water drainage relative to the retention development.

4.0 **Planning History**

4.1.1. The following recent planning history refers to the split decision by Galway City Council relevant to the subject site:

- Reg.Ref.15/348 – Permission granted subject to conditions for the demolition of an existing boiler house, construction of a new single storey extension to the rear of the dwelling, new ground floor window to side elevation, new roof light to front elevation, replacement of front boundary fence with concrete block wall, driveway and all associated site works.
- Permission refused for retention of existing entrance for the following reason:
The retention of the widened driveway, if permitted, would be contrary to Section 11.3.1(g) of the Galway City Council Development Plan 2011-2017, which requires that “vehicular entrance shall not normally exceed 3 metres in width, and where feasible the maximum extent of boundary wall/hedging shall be retained” and would therefore, adversely impact upon the character and residential amenities of the area.

5.0 Policy Context

5.1. Galway City Development Plan 2011-2017

The Site is shown within the 'Residential' land use zoning on the City Centre map. Table 11.1 of the Galway CDP 2011-2017 provides the Land use zoning Objectives. The coast road (Grattan Road) to the south is indicated as having 'Views and Prospects'. The area to the south of Grattan Park is shown as 'Recreational and Amenity use'.

Fig.2.1 provides a Map showing the Neighbourhood Areas in Galway City. The subject site is shown located within the 'Inner Residential Area'. As shown on Fig.2.5 the site lies to the west of the Claddagh Area.

Section 11.3 of the Plan relates to General Development Standards and Guidelines. 11.3.1 relates to outer suburbs and 11.3.1(g) relates to the Parking Standards. This includes:

Where on site car-parking space is to be provided in the front garden the following standards shall apply:

- The front garden depth shall be minimum of 8m.
- For on site car parking accommodation for existing dwellings a lesser depth may be acceptable.
- The car parking space shall be 2.5m x 5m minimum.
- The vehicular entrance shall not normally exceed 3m in width and where feasible the maximum extent of boundary wall/hedging shall be retained.
- Where gates are provided they shall not open outwards.
- Front gardens shall not be completely dedicated to car parking.

11.3.2 relates to the Established Suburbs and provides that standards are generally in accordance with the Outer suburbs, although there is some restriction in the requirement for on-site parking.

11.3.3 relates to the Inner Suburbs and provides that these are as the Established Suburbs with some exceptions i.e: maximum 1 space per dwelling for new residential

development. Therefore it would appear that Section 11.3.1(g) relative to parking in front garden areas would apply.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. O'Carroll Designs has submitted an appeal on behalf of the First Party, Kilian and Paula Colleran. They have regard to the planning history and to planning policy and their grounds of appeal include the following:

- Section 11.3.1(g) of the GCDP in stating that vehicular entrances shall not normally exceed 3m in width, implies that entrances in excess of this will be considered.
- The precedent has already been established with some neighbouring properties having enlarged site entrances ranging from 6.45m to 9m. A 3m entrance should therefore not be taken as the norm in the area.
- Development plans offer an overall strategy for the area, but cannot be uniformly applied across the board.
- Where a precedent has been established over time this should have priority over the guidelines, and can vary from development plan to development plan.
- A sizable portion of front boundary wall is retained and they consider that the site entrance as existing would not adversely impact upon the character and residential amenity of the area but rather reflect the many similar pre-existing instances that occur locally.
- The existing 6m wide entrance permits 2no.2.5m wide carparking spaces as per the current plan with a 1m corridor between/beside the vehicles for pedestrian usage, wheelchair use and buggies.
- There is a strain on the limited street parking in the area especially during peak times such as evenings and weekends.

- The enlarged site entrance allows for safe off street parking of vehicles to the front of the dwelling and thus frees up on street parking for other users to enjoy at peak times.
- They attach two no. photographs showing the on-site parking, one of which shows 3no. cars parked on a site.

6.2. Planning Authority Response

6.2.1. Galway City Council have not responded to the Grounds of Appeal.

7.0 Assessment

7.1. Principle of Development and Planning Policy

7.1.1. Regard is had to the locational context of the site and to parking and access issues in the area. The site is within the Residential land use zoning of the Galway CDP 2011-2017 where the Objective seeks: *To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.*

The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.

7.1.2. The Council's reason for refusal refers to Section 11.3.1(g) of the GCDP. This applies to this area, and is quoted in full in the Policy Section above. In this case the following criteria are particularly relevant:

- The front garden depth shall be minimum of 8m.
- The vehicular entrance shall not normally exceed 3m in width and where feasible the maximum extent of boundary wall/hedging shall be retained.
- Front gardens shall not be completely dedicated to car parking.

7.1.3. In this case as shown on the Site Layout Plan the entrance proposed for retention has been widened to 6 metres. This is to allow for on-site parking for up to 3no. cars. An example of such is shown in Photo no.01 of the First Party appeal. As seen on site and noted in the photographs while a reduced area of front boundary wall

remains, a front garden area has not been maintained. Also the site layout plan shows that the front porch area has reduced part of the drive area to less than 8m in length.

- 7.1.4. Therefore it is considered that regard needs to be had to the impact of the retention of this extended vehicular access and the loss of the on-street car parking spaces on the character and amenities of the area including on-street parking to ensure that it would not be contrary to planning policy and the proper planning and sustainable development of the area. This is discussed further taking into account these issues and having regard to the grounds of appeal in this Assessment below.

7.2. Differences between this proposal and that previously refused

- 7.2.1. As noted in the Planning History Section above the Council applied a split decision in the case of Reg.Ref. 15/348 where they granted permission for the retention of alterations to the dwellinghouse including the single storey rear extension but refused permission for the widening of the vehicular entrance, driveway and all associated works. As noted in the Planner's Report and as shown on the drawings submitted, in particular the Site Layout Plan, the current proposal to retain the widened vehicular entrance appears identical to that previously refused.

7.3. Regard to First Party Rationale and Precedent

- 7.3.1. Regard has been had to the First Party grounds of appeal. They consider that Section 11.3.1(g) provides that in stating 'vehicular entrances will not normally exceed 3m in width', implies that entrances in excess of this will be considered. They consider that this precedent has already been established and note there are other widened vehicular entrances in the area. Therefore they provide that a 3m entrance should not be taken as the norm in this area.
- 7.3.2. During my site visit I noted that the majority of houses on this cul-de-sac road have narrower vehicular entrances. On site it was noted that no.50 towards the northern end of the cul-de-sac and no.43 to the south east on the opposite side of the road have also opened wider entrances. The Planner's Report refers to unauthorised development, which is a matter for the Council and is not in the remit of An Bord Pleanala. Having regard to the Planning Register, it did not appear that there were

any recent applications or permissions for this type of development in the area. Nor do there appear to be any recent Board decisions in the Grattan Park area relevant to this type of application.

- 7.3.3. Therefore it is considered that granting this retention permission could set an undesirable precedent for further widening of such entrances. It is also of note that Grattan Park appeared lightly parked relative to roadside parking on the day of the site visit. Therefore the need for this widening, which is not in the interests of the visual amenity or character of the established residential area is questionable.

7.4. Appropriate Assessment

- 7.4.1. It is considered that having regard to the nature and scale of the development which is for domestic/residential purposes in a fully serviced suburban location, and to the nature of the receiving environment, that no appropriate assessment issues arise.

8.0 Recommendation

- 8.1. It is recommended that permission be refused for the reasons and considerations below.

9.0 Reasons and Considerations

- 9.1.1. It is considered that this proposal for the retention of an increased width vehicular entrance for this detached property and the removal of an on-street parking space in this area would be contrary to the criteria of Section 11.3.1(g) as set out in the Galway City Development Plan 2011-2017, which applies to vehicular entrances. It would serve to further create an undesirable precedent for similar such development in this established Residential Area including the further erosion of front garden areas. As such the enlarged entrance would therefore, seriously injure the visual amenities of this residential area and would be contrary to the proper planning and sustainable development of the area.

Angela Brereton,
Planning Inspector,

28th of November 2016