



An
Bord
Pleanála

Inspector's Report PL06S.247222

Development	Semi-detached two storey house adjoining existing two storey family home with all ancillary works.
Location	34 Woodford Lawn, Clondalkin, Dublin 22.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD16A/0215
Applicant(s)	Eugene and Margaret Beagan
Type of Application	Permission
Planning Authority Decision	Grant Permission subject to Conditions
Type of Appeal	Third Party vs. grant
Appellant(s)	Giorgio De Luca and Roberta Mastrogregori.
Observer(s)	None
Date of Site Inspection	2nd December 2016
Inspector	Ciara Kellett

1.0 Site Location and Description

- 1.1. The appeal site is located in Woodford Lawn in Clondalkin which is located north of Monastery Road and approximately 1km east of Clondalkin village. The area is characterised by well established, medium density, single and two storey, terraced suburban type housing. Pedestrian access is provided from Woodford Lawn directly to Monastery Road and vehicular access is provided via Woodford Hill. The road slopes significantly down towards Woodford Drive to the north. The roadway is of sufficient width to provide for parking on either side of the road, as well as allow for two-way traffic.
- 1.2. The appeal site, no. 34 Woodford Lawn, is located midway along the road on the western side. The house is the end of a terrace of four houses – the third party appellant is the house just to the north of the terrace at no.35. The ground level between no's 34 and 35 drops by approximately 0.5m. The existing boundary treatment between no.'s 34 and 35 to the front, comprises a low block wall.
- 1.3. Appendix A includes a map, aerial views and photos.

2.0 Proposed Development

Permission is sought for a two storey house adjoining an existing family home and all ancillary works. The proposal includes three bedrooms and the house is stated as being 85sq.m in area.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission subject to 11 conditions. Condition 2 requires that the existing street tree shall be retained. Condition 3 requires that the applicant provides detail with respect to drainage (surface water and foul) to the planning authority for approval prior to commencement of development. Condition 4 requires the applicant to submit revised drawings with

respect to the reinstatement of the boundary wall to the front where the dropped kerb is not required and a landscaping plan is to be submitted.

3.2. Planning Authority Reports

3.2.1. The Planner's Report is the basis for the Planning Authority decision. It includes:

- Area is zoned RES '*To protect and/or improve residential amenity*' therefore, in principle development of a dwelling is permitted, subject to compliance with the relevant provisions of the Development Plan with specific reference to Section 11.3.2 (ii) which relates to Corner/Side garden sites.
- Notes that the proposal would result in the creation of a terrace of 5 dwellings and considers extension of the front building line by 1m acceptable. Width of building is 150mm less than existing but considered acceptable and notes that the development site falls to the north. No part of the proposal should overhang the neighbouring property.
- Internal floor areas substantially comply with the provisions of the Quality Housing for Sustainable Communities – Best Practice Guidelines. Private amenity space complies with the open space standards.
- File referred to Roads Department – 1.5 spaces will be provided. Proposal of a shared driveway for 3 cars is acceptable subject to reinstatement of boundary wall.
- Considers requirements of the Water Services Section can be adequately dealt with by way of condition.
- Concludes that the proposed development by virtue of its size, scale and location would not detract from the amenities of the adjoining or neighbouring dwelling. It would not significantly detract from the character of the surrounding area and is in accordance with the proper planning and sustainable development of the area and recommends a grant subject to conditions.

3.2.2. Other Technical Reports

- Surface Water Drainage – Additional information required which the Planner considers can be dealt with by way of condition.

- Irish Water – No objections subject to conditions.
- Roads Section – No objections subject to conditions.

3.3. Third Party Observations

None.

4.0 Planning History

- S97A/0530 – Site adjacent to 34 Woodford Lawn – 2 no. four-bed semi-detached houses granted permission in November 1997.
- S00A/0340 – Construct a new 2 storey house to the side – 32A Woodford Lawn granted permission in August 2000.

5.0 Policy Context

5.1. Development Plan

Under the County Development Plan 2016 – 2022, the site is zoned '**RES: To protect and/or improve residential amenity**'.

Section 2.4.0 of the Development Plan considers *Residential Consolidation – Infill, Backland, Subdivision and Corner sites*. Housing Policy 17 states that “It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County”.

H17 Objective 3 states “To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation”.

Chapter 11 states with respect to Dwelling Standards that the minimum space for two and three bedroom houses is 80sq.m and 92 sq.m respectively. The required private open space is 55sq.m and 60sq.m respectively. The site should be of a sufficient size to accommodate an additional dwelling and an appropriate set back

should be maintained from adjacent dwellings; be designed and sited to match the building line and respond to the roof profile of adjoining dwellings; architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony; contemporary and innovative proposals are encouraged; and, where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote integration with existing buildings.

5.2. Natural Heritage Designations

There are no designated areas in the vicinity. The Glenasmole Valley SAC (Site Code 001209) is c.7.5km south.

6.0 The Appeal

6.1. Grounds of Appeal

A third party appeal against the decision to grant permission by the planning authority has been lodged by the neighbours immediately to the north of the subject proposal. In summary, it states:

- The Council granted a very generic permission on the basis that any infill development is welcome without considering the details or responding to third party concerns.
- Council are completely ignoring their own guidelines which state that the site should be of a sufficient size and an appropriate setback should be maintained.
- Ignoring their own document SDCC Domestic Extension or Side Garden Development which refers to the South Dublin County Council House Extension Design Guide (2010).
- Site is too narrow to squeeze a new house in and would adversely affect their home and way of living.
- Proposed development is too close to the boundary.

- Change in site level makes the effect of overbearing and overshadowing worse. Concerns about structural integrity.
- Their house has 5 windows on the gable including a kitchen window. Development would cast a shadow on the side of the house.
- An end of terrace house should have side access to the rear garden and allow for maintenance of the gable – this won't be possible because the building is right up to the boundary wall.
- There are other undesirable details – flat roof extension to the back, front extension protruding beyond the building line, gable on boundary wall with roof overhanging into their garden, and three cars sharing the driveway.
- The proposal will be built on top of the shared drainage system. Raises questions about access to the pipe should there be a blockage or break in the pipe.
- There is already permission in the area for 380 dwellings across Monastery Road – there is no reason to facilitate such an infill development.

6.2. Planning Authority Response

No response received.

6.3. Applicant's Response

The applicant responded to the appeal as follows:

- Pre-planning discussions took place with the Area Planner in August 2015 and February 2016 for compliance with the Development Plan 2010 – 2016 and the new Plan 2016 – 2022. Items discussed included zoning and Council policy, visual and residential amenity, access and parking, services and drainage.
- Due to the existing fall in the ground level along the front elevation the floor level and the ridge height is stepped down to accommodate levels and blend with existing front elevations of adjoining buildings.

- Proposed development extends to the centre of the boundary line with no.35 and no part overhangs the garden of no.35.
- Further to discussions with the area inspector of the Drainage Department, the inspector was satisfied that the existing foul drainage pipe which consists of 100mm foul drain serving houses 34,36,38 and 40, is suitable to accommodate the proposed development.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and 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:

- Infill development
- Residential Amenities
- Appropriate Assessment

7.2. **Infill Development**

The site is zoned '**RES: To protect and/or improve residential amenity**'. A dwelling is acceptable in principle, subject to compliance with the standards as set out in the Plan.

I am satisfied that the development of a house adjoining the end of terrace is acceptable in this location. Woodford Lawn is a mix of housing designs (single and two storey) comprising rows of terraces between 4, 5, 6, and 7 houses. I note that house number 32A was also an infill type development.

In conclusion, I am satisfied that the development of an infill type house in this location is acceptable in principle.

7.3. Residential Amenities

The Development Plan provides guidance on the standards for house designs. It is stated that a two-bedroom house must be a minimum of 80sq.m and a three-bedroom house must be a minimum of 92 sq.m. The current proposal is a three-bedroom house which is 85sq.m in area which is below the Plan standards.

A review of *Quality Housing for Sustainable Communities – Best Practice Guidelines* published by the Department of the Environment, Heritage and Local Government in 2007, indicates that a three-bedroom house (two storey for 4 persons) should have a minimum overall target gross floor area of 83sq.m. The subject proposal complies with that overall area. The Best Practice Guidelines also state that bedroom sizes must be minimum of 7.1sq.m for a single bedroom, 11.4sq.m for a double bedroom and the area of the main bedroom should be at least 13sq.m in a dwelling designed to accommodate three or more persons. The current proposal has two single bedrooms and the smaller of the two is 7.04sq.m. The main bedroom to the front of the house is 11.5sq.m.

For this type of dwelling, the main living room area is required to be 13sq.m – the current proposal does not indicate what the overall area is, but it would appear to be in excess of this – the living room without the projecting façade is approximately 15.2sq.m (excluding the stairs). Aggregate living area is required to be 30sq.m which the subject proposal exceeds. The private open space in the rear garden is stated as being 61.7sq.m which complies with the Development Plan for a three-bedroom house. The existing house, no.34, will be left with a garden area of 60sq.m – in compliance with standards.

The appellant considers that the site is too narrow to fit another house. While there is no guidance with respect to minimum width of dwellings, as noted above, the house to a large extent complies with the quantitative requirements of the Best Practice Guidelines.

It is also stated that the dwelling extends to the centre line of the boundary wall with no.35. I acknowledge that this could cause difficulties with construction but I note that no.32A Woodford Lawns is of a similar design.

The appellant states that there are 5 windows on their gable wall. It is likely that the boundary wall and the drop in levels between the houses already causes shadowing

and while this would be increased with the development of a new dwelling, this would not affect their rear garden which still enjoys a west facing aspect which will not be impacted.

The appellant has concerns with respect to overbearing impacts. As noted in Section 1 above, the road slopes quite significantly from the top to the bottom. The drawings indicate that the finished floor level in front of no.38 is +1.01 and the level at no.35 is -0.68, a drop of 1.69m across the 4 existing houses. The applicant has addressed this by stepping the floor level and ridge height down to blend with the existing front elevations of adjoining buildings. I consider that this is acceptable and will not result in an overbearing impact on no.35.

The design of the proposal indicates the ground floor façade extending beyond the front building line of the terrace by approximately 1.3m. This breaks the building line of the terrace and I consider that it would introduce a discordant element to the terrace and therefore, in the event of a grant would recommend a condition for the removal of the projecting façade.

The appellant states that an end of terrace should have a side passageway to allow for maintenance of the gable and states this won't be possible because the building is right up to the boundary wall. I concur with the appellant's concerns but do not consider this is a reason to consider refusing permission. I also note from my site visit that this scenario also occurs at no.32A Woodford Lawns where that building is built right up to the boundary.

The driveway will be shared by three cars to comply with the Development Plan standards. I consider this acceptable. There is sufficient parking space and adequate width for on-street parking, should it be required.

The appellant correctly states that the proposal will be built on top of the shared drainage system. The file was referred to Irish Water but they did not object to this fact. The applicant states, in response to the appeal, that discussions were held with the drainage department of South Dublin County Council and subject to conditions, this was acceptable.

In summary, I am satisfied that the subject proposal is acceptable and would not seriously injure the residential amenities of the nearby dwellings.

7.4. Appropriate Assessment

Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, 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.

8.0 Recommendation

8.1. I recommend that planning permission should be granted subject to conditions for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to the location of the site on residentially zoned lands in the current South Dublin County Development Plan 2016-2022, to the compliance with the development standards for dwellings in side gardens, and to the substantial compliance with dwelling size and private open space standards of the Development Plan and to the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity. 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 proposed development shall be amended as follows:

(a) the projecting ground floor living room and porch façade shall be omitted and the front building line shall be contiguous with that of the existing house no.34.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity.

3. 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.

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 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, protection of the existing on-street tree during the construction phase and off-site disposal of construction/demolition waste.

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

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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.

Ciara Kellett
Inspectorate

2nd December 2016