



An
Bord
Pleanála

Inspector's Report PL06F.247891

Development	Demolish sheds, erect two houses
Location	11 Corduff Cottages, Blanchardstown, Dublin15.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW16A/0151
Applicant(s)	Victoria Homes Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Victoria Homes Limited
Observer(s)	None
Date of Site Inspection	28 th April 2017
Inspector	Hugh Mannion

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1.0 Site Location and Description

1.1. The site of the proposed development comprises 0.0851ha and comprises both 11 Corduff Cottages and a backland plot located across a rear laneway which runs north south behind number 1 to 20 Corduff Cottages/Old Corduff Road, off Ballycoolin Road, Blanchardstown, Dublin 15. Both 10 and 11 Corduff Cottages are closed up and unoccupied at present, these and the remaining 1 to 20 Corduff Cottages are single storey structures dating from the first half of the 20th century. The almost all the cottages have built extensions over their rear yards and almost all have used the plots over the rear access lane to construct a variety of storage sheds/garages. These are accessed over the hard surfaced lane which leads out onto Old Corduff Road between numbers 10 and 11 Corduff Cottages. There are two further access points from this rear lane to Old Corduff Road beside number 1 and number 20 Corduff Cottages.

2.0 Proposed Development

2.1. The proposed development comprises demolition of existing sheds, provision of off street parking to serve existing house and erection of two semi-detached dormer bungalows with off street parking to the rear of 11 Corduff Cottages, Blanchardstown, County Dublin.

3.0 Planning Authority Decision

3.1. Decision

The planning authority refused permission for two reasons;

- The proposed development would comprise backhand development accessed over a private laneway outside the control of the applicant.
- The proposed development would give rise to a conflict between pedestrian and vehicular traffic. It is not clear that the applicant has sufficient legal interest over the access route.

- The two storey development is out of character with the pattern of single storey development in the area.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The planner's report recommended permission be refused for the reasons set out in the managers' order.

3.2.2. Other Technical Reports

The **Transport Planning Section** reported that the parking for the existing cottage should ebb agreed with the planning authority. The lane provides pedestrian and vehicular access to the rear of Corduff cottages but is inadequate to allow passing and manoeuvring. The access would have to be up-graded. There is the potential for pedestrian/vehicular conflict at the entrance to the main road at 11 Corduff Cottages.

Irish Water reported no objection.

Water Services Section reported no objection subject to conditions.

3.3. **Prescribed Bodies**

There are no submissions from prescribed bodies.

3.4. **Third Party Observations**

There are no third party observations.

4.0 **Planning History**

Planning register reference number F05A/0795 permission refused for two dormer bungalows on same site.

Planning register reference number FW09A/0033 permission refused for two terraced houses on the site.

Planning register reference number FW16A/0106 permission refused for two semidetached dormer bungalows.

5.0 Policy Context

5.1. Development Plan

The site is zoned RS 'to provide for residential development and protect and improve residential amenity' in the Fingal County Development Plan 2011-2017.

A local objective 509 applies to the site – “any development in this area shall be consistent with existing and immediately surrounding development and amenity areas”.

5.2. Natural Heritage Designations

The site is unaffected by any natural heritage designations.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal may be summarised as follows;

- The proposed houses are 122m², face onto a rear access lane, provide off-street parking, take best advantage of daylight, provides adequate rear garden space and complies with the Fingal County Development Plan.
- The proposed rear gardens are 82m² and 83m².
- The private lane is already used as access to the rear gardens of houses along Corduff Cottages.
- Two car spaces are proposed to the front of 11 Corduff Cottages. The provision of these spaces will reduce traffic on the rear lane because currently parking for 11 Corduff Cottages is accessed over the lane.

- The proposed houses are designed as 1.5 stories to reflect the pattern of development in the area and the roof lights prevent overlooking of adjoining lands.

6.2. **Planning Authority Response**

The planning authority responded to the appeal as follows;

- The proposed development has not ah sufficient regard to the character and pattern of development in the area.
- The proposed development would establish a precedent for further development generating traffic movements on an unsuitable laneway over which the applicant may not have sufficient legal interest.
- The proposed roof lights do not provide sufficient amenity for future residents of the proposed houses.

6.3. **Observations**

There are no observations on the file.

6.4. **Further Responses**

There are no further responses.

7.0 **Assessment**

7.1. I consider that traffic safety, residential amenity and legal interest are the main issues in this application.

7.2. The transport planning section of the planning authority reported that there is an informal one-way system on this lane which gives rise to potential for vehicular/pedestrian conflict. I walked and drove along this lane as part of my site inspection. I consider that the absence of footpaths and the inadequate width of the lane to provide such footpaths confirm the transport planning section's view of the

traffic problems on the lane. I was unable to effect a left turn out of the lane beside number 1 Corduff Cottages and could not drive up to the access beside number 20 Corduff Cottages due to a stationary car on the lane. The applicant has attempted to resolve this problem by setting back the boundary by a substantial 4.5m but it is not clear that this would solve the issue of visibility between pedestrians and car drivers at the access between 10 and 11 Corduff Cottages; it is unlikely that the exits at either end of the laneway would adequately accommodate additional traffic. A detailed analysis demonstrating how these spaces would function relative to the access to Old Corduff Road would be useful.

- 7.3. The applicant makes the case that the creation of two spaces in the front garden of 11 Corduff Cottages will mitigate the traffic movements on the rear laneway. There is some merit to this point but the proposed houses include 4 spaces close to the exit to Old Corduff Road with inadequate visibility due to the boundary treatments along the laneway.
- 7.4. I note the planning authority's transport planning section is not against development along this lane in principle and having regard to the lane's zoning for residential development I concur that there is some potential for housing on this lane. However, the present application has not adequately demonstrated that the proposed development can be constructed without giving rise to conflict between pedestrian and vehicular traffic movements and I conclude that the proposed development would endanger public safety by reason of traffic hazard.
- 7.5. The planning authority's report makes the point that the site of the two proposed houses appears to absorb the entire garden area once associated with 12 Corduff Cottages along with the majority of the garden space associated with 11 Corduff Cottages. This is a fair point but the remaining areas to the rear of 11 and 12 Corduff Cottages are west facing and would be open to good sunlight and daylight enhancing their amenity value. Notwithstanding this observation any future application should address the provision of adequate utility and private open space for these two houses.
- 7.6. The houses have been designed as two stories but with only roof lights serving the first floor bedrooms and bathroom. This is understandable in so far as it protects the amenity of the rear of Corduff Cottages from overlooking and consequent loss of

privacy. However, the rear gardens are adequate to accommodate conventional first floor windows on the rear elevation while maintaining an 11m separation distance off the rear boundary. I concur with the planning authority that private open space provision is adequate and there is a potable water supply and sewerage available to the application site.

7.7. The planning authority referred to lack of legal interest in the lane on the part of the applicant. The applicant has not addressed this issue in the appeal apart from referring to the existing use of the lane by residents of Corduff Cottages to access parking areas. I agree that the lane is so used.

7.8. **APPROPRIATE ASSESSMENT**

7.9. Having regard to modest scale of the proposed development and its location on serviced land and the nature of the receiving environment 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. Having regard to the foregoing I recommend refusal of permission in accordance with the Reasons and Considerations set out below.

9.0 **Reasons and Considerations**

The proposed development is accessed over an entrance from Old Corduff

Road located between numbers 10 and 11 Corduff Cottages and over a rear lane which serves parking and service/utility areas associated with numbers 1 to 20 Corduff Cottages. The entrance and rear lane are inadequate in width and without footpaths. The proposed development would give rise to additional vehicular traffic and additional vehicular traffic turning movements which would conflict with pedestrian movements at points where visibility is inadequate. Therefore, the Board is not satisfied on the basis of the material submitted with the application and appeal that the proposed development would not endanger public safety by reason of traffic hazard.

Hugh Mannion
Senior Planning Inspector
28th April 2017