



An  
Bord  
Pleanála

## Inspector's Report PL06S.248366.

---

<b>Development</b>	House and associated site works.
<b>Location</b>	8A Castlefield Way, Castlefield Manor, Dublin 16.
<b>Planning Authority</b>	South Dublin County Council.
<b>Planning Authority Reg. Ref.</b>	SD17A/0017.
<b>Applicant(s)</b>	Karl Murphy.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse permission.
<b>Type of Appeal</b>	First Party.
<b>Appellant(s)</b>	Karl Murphy.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	27 <sup>th</sup> June 2017.
<b>Inspector</b>	Ciara Kellett.

## 1.0 Site Location and Description

- 1.1. The appeal site is located in Knocklyon, Dublin 16. It is located in Castlefield Way in the Castlefield Manor Estate which is c.170m west of the M50 Motorway and c.270m east of Ballycullen Road. Scholarstown Road is c. 250m to the south of the site.
- 1.2. Castlefield Way is a cul-de-sac and 8A Castlefield Way is at a corner of the cul-de-sac. The estate is a well-established residential area with a reasonable amount of on-street trees and shrubbery. The boundaries of each dwelling comprise a low block wall with red brick capping and very few of the houses have garden gates. House 8A is the last house of a terrace of 3 no. houses. There is another similar terrace of 3 no. houses beside it, but the remainder of the houses are mainly semi-detached dwellings.
- 1.3. Due to the configuration of the road at this section there are only dwellings on the north side of the road. Another housing estate, Glenvara Park, is located adjacent and to the west. Currently there are major piped infrastructural works ongoing throughout Castlefield estate closing off roads, and a through road has been created for the residents of Castlefield to access Ballycullen Road through Glenvara Estate.
- 1.4. Appendix A includes maps and photos.

## 2.0 Proposed Development

- 2.1. The proposed development is for the construction of 1 no. two storey, two-bedroom terraced house to the west side of the existing two storey terraced house no.8A. The house is stated as being 71sq.m on a site of 0.026Ha. The dwelling will be accessed using the existing driveway.
- 2.2. The proposal involves minor modifications to the existing house no.8A, including the omission of 1 window to the side elevation and alterations to the vehicular entrance. The proposal includes revised boundary treatment to sub-divide the site, and all associated site works including connecting to services.
- 2.3. Eight drawings including proposed and existing street views and a Drainage and Service Report accompany the planning application.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority decided to refuse permission for one reason as follows:

*Section 11.3.1(iv) Dwelling Standards, Table 11.20 of the South Dublin County Development Plan 2016 – 2022 requires 55sq.m of private open space for a two bedroom dwelling. The proposed private amenity space for the existing and proposed dwellings at 47sq.m and 40sq.m respectively would significantly contravene this requirement in the County Development Plan. Thus, the proposed development would seriously injure the amenities of property in the vicinity and the residential amenities of the future occupants of the proposed dwelling and existing dwelling at 8A Castlefield Way, Castlefield Manor, and be contrary to the proper planning and sustainable development of the area.*

### 3.2. Planning Authority Reports

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

- Site is zoned 'RES – To protect and/or improve residential amenity'. The development of a dwelling is permitted in principle subject to compliance with the relevant provisions in the Development Plan section 11.3.2(ii) which relates to Corner/Side Garden sites.
- Visual Impact: dwelling has hipped roof profile to match existing roof profile and matches in proportion the existing dwelling with matching design and finishes.
- Proposed dwelling is located on the boundary between Castlefield estate and Glenvara Park to the west. 168 Glenvara Park is to the west of the site and it is considered that there will be no impact of overlooking, overshadowing or overbearing impact.
- Internal floor area of 71sq.m would comply with the provisions of *Quality Housing for Sustainable Communities – Best Practice Guidelines* which requires a minimum of 70sq.m for a two-bedroom dwelling.

- It is proposed to provide 42sq.m of private amenity space to serve the new dwelling and 47sq.m is remaining to serve the existing. Neither will comply with the minimum standard required in the County Development Plan of 55sq.m.
- The remaining private amenity space would injure the amenities of the residents of the existing dwelling and the proposed amenity space would injure the amenities of the future occupants of the proposed dwelling. This would not be in accordance with the zoning objective of the Development Plan.
- Recommends permission is refused.

The decision was in accordance with the Planner's recommendation.

#### 3.2.1. **Other Technical Reports**

- **Environmental Services Section:** requests further information.
- **Roads Section:** No objection.
- **Parks & Landscape:** No objection.

#### 3.3. **Prescribed Bodies**

- **Irish Water:** requests Further Information with respect to watermain and foul sewer layout being in compliance with the Building Regulations and requires applicant to contact the Area Engineer.

#### 3.4. **Third Party Observations**

- None on file.

### 4.0 **Planning History**

Planning Applications associated with the site:

- **SDCC Reg. Ref. S92A/0339:** Permission granted for the construction of a 2-bedroom dwelling at site 8A Castlefield Way. No further information is provided.

Other Planning Permissions in the area relate to residential extensions and modifications.

## 5.0 Policy Context

### 5.1. South Dublin County Development Plan 2016 - 2022

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*".

Table 11.20 of Chapter 11 states with respect to Dwelling Standards that the minimum space for two bedroom houses is 80sq.m. The required private open space is 55sq.m. Section 11.3.1 notes with respect to dwelling standards that "*All houses must be required to accord with or exceed the minimum floor area standards set out in Table 11.20. Dwellings should also be designed to provide adequate room sizes that create good quality and adaptable living spaces*". Section 11.3.1(iv) states that "*the design and layout of individual dwellings should provide a high quality living environment for residents. Designers should have regard to the targets and standards set out in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007) with regard to minimum room sizes, dimensions and overall floor areas when designing residential accommodation*".

Section 11.3.2 considers Residential Consolidation and notes "*Infill residential development can take many forms, including development on infill sites, corner or side garden sites, backland sites and institutional lands*". It is noted that

development on infill sites should meet certain criteria but provides that subject to “*appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development*”.

With respect to development on corner and/or side garden sites, it states that proposals should *meet the criteria for infill development in addition to the following criteria*: Corner/Side Garden sites should be of a sufficient size 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 corner sites should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.

## **5.2. Quality Housing for Sustainable Communities – Best Practice Guidelines 2007**

Section 5.3.2 refers to minimum room sizes for houses. A two storey, 2-bedroom, 3 person house requires a minimum floor area of 70sq.m, a minimum living room area of 13sq.m, an aggregate living area of 28sq.m, and an aggregate bedroom area of 20sq.m. The area of a single bedroom should be at least 7.1sq.m and the area of the main bedroom should be at least 13sq.m in a dwelling designed to accommodate three or more persons.

The recommended minimum unobstructed living room widths are 3.6m for two bedroom, and the minimum room widths for bedrooms are 2.8m for double bedrooms and 2.1m for single bedrooms.

## **5.3. Natural Heritage Designations**

The Glenasmole Valley SAC (Site Code 001209) is located c. 10km to the south-east of the site.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

A first party appeal has been lodged against the decision of the planning authority to refuse permission. In summary it states:

- Planner's Report was generally in favour of the proposal with respect to zoning, visual impact and building finishes, residential amenity, access and parking, and services and drainage.
- The only reason for refusal was a slightly reduced private amenity space.
- The proposal would be part of a development consisting of 6 existing terrace houses. The design will repeat and blend in the other houses and have similar private amenity space as no.6 & no.8.
- House is of a very high standard and slightly reduced garden would not seriously injure the amenities of property in the vicinity and future occupants of the proposal.
- All existing houses can build house extensions which would reduce their gardens even more – suggest the Board can grant permission under a condition that no extension can be built without obtaining planning permission.
- Proposal was positively reviewed during pre-planning consultations.
- There were no objections from neighbours.
- Proposal provides for sustainable use of urban lands and one additional quality home, while not compromising amenities of neighbouring residents.
- Development is in substantial compliance with the development plan standards.

### 6.2. Planning Authority Response

The Planning Authority have not responded to the appeal.

## 7.0 Assessment

I consider the key issues to be addressed in this appeal are set out below. The issue of appropriate assessment also needs to be addressed.

Having regard to the proposed location of the dwelling at the end of a terrace, as well as being designed and sited to match the building line, and responding to the roof profile and materials of the adjoining dwellings, I consider there will be no impact on visual amenities and I consider the principle of development is acceptable.

The issues can be dealt with under the following headings:

- Compliance with Development Plan Standards
- Appropriate Assessment

### 7.1. Compliance with Development Plan Standards

- Private Amenity Space

The permission was refused on the basis of insufficient private amenity space. The Development Plan standards state that for 2-bedroom houses a minimum rear garden area of 55sq.m is required. The existing dwelling, 8A Castlefield Way, will have 47sq.m and the new dwelling, 8B Castlefield Way, will result in a rear garden area of 42sq.m.

I consider that a reduction in the amenity space of both dwellings is acceptable in accordance with the flexibility provided by the County Development Plan, which states that reduced open space standards may be considered for infill development. I would also draw the Board's attention to the fact that it is unlikely that any of the other houses in the two terrace blocks have in excess of 55sq.m back garden amenity space. As such I consider that in this instance, a reduced private garden space is acceptable. I consider a condition requiring that any potential future extension which would normally be exempt development is de-exempted, and planning permission is required should the Board consider granting permission.

- Area of dwelling

The area of the dwelling is stated as being 71sq.m. This is above the standards required in the *Quality Housing for Sustainable Communities Guidelines, DEHLG*



(2007) but below the standards required in Table 11.20 of the Development Plan which states that the minimum area for a 2-bedroom dwelling is 80sq.m.

The Development Plan in section 11.3.1(iv) states that '*Designers should have regard to the targets and standards set out in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007) with regard to minimum room sizes, dimensions and overall floor areas when designing residential accommodation*'.

I note that the Planning Authority consider that the dwelling size is in compliance with *Quality Housing for Sustainable Communities Guidelines* and did not consider this reduction in area as a reason for refusal. I would further note that all of the rooms comply with the minimum standards for each room as stated in the *Quality Housing Guidelines*, in terms of the minimum size for single and double bedrooms and living areas. Therefore, while the overall area is below 80sq.m, the area at 71sq.m, and the individual room sizes, are fully in compliance with the *Quality Housing for Sustainable Communities*, which the Development Plan states designers should have regard to.

## 7.2. **Appropriate Assessment**

Having regard to the nature and scale of development proposed and to 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**

I recommend that planning permission should be granted 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 as set out in the South Dublin County Development Plan 2016-2022, to the pattern of development in the area, and to the acceptable scale and design of the proposed dwelling, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the new and existing dwelling.

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. Front boundary walls shall match in height and shall be suitably capped and finished in a material that matches existing boundaries of the terrace.

**Reason:** In the interest of residential and visual amenity.

5. 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.

6. Site development and building works shall be carried out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

7. 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.

---

Ciara Kellett  
Inspectorate

28<sup>th</sup> June 2017