



An  
Bord  
Pleanála

## Inspector's Report PL29N.249199

---

<b>Development</b>	2 storey extension to side, single storey extension to rear, porch to front, driveway widening and site works
<b>Location</b>	2 Collins Drive, Dublin 11
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB1195/17
<b>Applicant(s)</b>	Michael Elliott
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Michael Elliott
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	23 <sup>rd</sup> October 2017
<b>Inspector</b>	Una O'Neill

# Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	4
3.4. Third Party Observations .....	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.1. Dublin City Development Plan 2016-2022 .....	5
5.2. Natural Heritage Designations .....	5
6.0 The Appeal .....	5
6.1. Grounds of Appeal .....	5
6.2. Planning Authority Response .....	6
7.0 Assessment .....	6
8.0 Recommendation.....	9
9.0 Reasons and Considerations.....	9

## 1.0 Site Location and Description

- 1.1. The subject site is located south of Ballygall Road West, at the junction with Collins Drive, in an established residential area, east of Finglas Village and north of Dublin City Centre. Ballygall Road West is part of a main east-west route across north Dublin City, connecting into Finglas Village to the west and to the east Ballymun and the M50 to the north / Dublin City to the south.
- 1.2. This residential estate comprises blocks of terraced dwellings, with narrow deep plots. The dwellings at end of terrace corner locations differ in that they are positioned on angular plots, with reduced plot depths and larger side gardens.
- 1.3. The site comprises a 2-storey end of terrace dwelling, with a triangular shaped side and rear garden and a stated site area of 316sqm.

## 2.0 Proposed Development

- 2.1. Permission is sought for the construction of a detached 2 bed house, to the side of the existing house. The house comprises a pitched roof, with rear dormer, is 7.36m in height and measures approx. 10m wide x 5m deep. The dwelling fronts onto Collins Drive with the gable end onto Ballygall Road West. A new vehicular access is proposed off Collins Drive.

## 3.0 Planning Authority Decision

### 3.1. Decision

REFUSED permission for the following reason:

The proposed development constitutes an overdevelopment of the site, would result in an overbearing and overshadowing impact on no 69 Ballygall Road West and would result in a substandard level of private open space for the existing house. As a consequence, the proposed development would injure the amenities of property in the vicinity and would set an undesirable precedent for development which would be incompatible with the established character of the area. The proposal would be contrary to paragraph 16.10.9 Corner / Side Garden Sites of the Dublin City Development Plan 2016-2022

and would be contrary to the zoning objective for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Report**

The Planning Officer's report generally reflects the decision of the Planning Authority.

I note further information was requested in relation to the overshadowing and overbearing impact on no. 69 Ballygall Road West; potential overlooking from rear dormer; limited rear private open space; and having regard to Section 16.10.2 of the development plan.

A revised design was submitted, with the dwelling repositioned on site to sit forward of the building line on Collins Avenue, moved away from the boundary with no. 69 to the rear, with the relocation of the dwelling facilitating an increase in private open space. In response to issue of overlooking of the rear dormer, it was stated that the rear dormer does not have windows. Overall, the Planners Report concludes the issues were not adequately addressed and it was recommended that permission be refused.

#### **3.2.2. Other Technical Reports**

Drainage Division: No objection subject to conditions.

### **3.3. Prescribed Bodies**

None.

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

None.

## **4.0 Planning History**

None.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan 2016-2022

The application site is located within land use zoning objective Z1, the objective for which is *'to protect, provide and improve residential amenities.'*

#### **Section 16.10.9: Corner/Side Garden Sites**

### 5.2. Natural Heritage Designations

The site is not located within or adjoining a Natura 2000 site.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

A first party appeal has been submitted, the grounds of which are summarised as follows:

- Development comes within recommended plot ratio and site coverage guidelines therefore proposal cannot be considered overdevelopment.
- The proposed dwelling will not be visible from no. 69 Ballygall Road as the new property is designed to prevent overlooking.
- No. 69 has a south facing aspect and the new dwelling is positioned west of it, therefore overshadowing is not a material concern.
- The proposed dwelling complies with the standards of 10sqm private open space per bed space, as does the existing dwelling. The proposed dwelling will not result in a substandard level of private open space in light of Section 16.10.2.
- The proposed dwelling is within 150m of a large public open space and 500m of a large public park.
- There is an established pattern of similar development in the areas, including a new dwelling on corner of Collins Drive and Collins Row and also on corner of Collins Drive and Glasaree Road.

- The original plans submitted maintained the established building line along Collins Drive and the proposed building is similar in height and material.
- The Planning Authority's decision is at odds with the zoning objectives and the Dublin City Development Plan 2016-2022.
- It is requested that the Board consider the original application as submitted de novo.

## 6.2. **Planning Authority Response**

No further comment.

## 7.0 **Assessment**

7.1. I note that the indicated scale on the drawings is incorrect. The dimensions are not to a standard scale nor do they match the scale on the scale bar on the drawings. I note however that the stated dimensions on the proposed site plan, in relation to the site and the existing house, do match the 1:1000 site location map. For the purposes of the assessment hereunder, I will base my assessment of the proposed house on the stated dimensions on the drawings, notwithstanding these figures cannot be accurately verified.

7.2. The primary issues for consideration are as follows:

- Visual Impact
- Impact on residential amenity

### **Visual Impact**

7.3. The grounds of appeal state the proposed development complies with development plan standards in terms of private open space, and is not overbearing nor will it result in overshadowing. The proposal as originally submitted (prior to the further information response which amended the design) was in line with the building line along Collins Drive. Two examples of corner/side garden dwellings in the immediate area are cited and the proposal is considered to be in accordance with the established pattern of development in the area. The applicant has requested that the proposed dwelling as originally submitted be assessed. I will outline in my

assessment the differences between both the original submission and the amended drawings submitted following the Further Information request.

- 7.4. The Planning Authority's report outlines concerns in relation to the scale, location on the site relative to no. 69 Ballygall Road West, and the level of private open space.
- 7.5. The proposed dwelling is a two storey three bay dwelling, with an overall height indicated to be in line with the dwellings on Collins Drive. The dwelling fronts onto Collins Drive, with its gable end onto Ballygall Road West. This gable end is shown slightly stepped back from the building line of Ballygall Road West and the rear building line is angled in line with the angular boundary of the site, with a windowless dormer inserted in the rear roof plane, directed forward No. 69. The Further Information request resulted in the applicant amending the position of the dwelling on the site, so that it is located 479mm from the rear boundary/side boundary of No. 69 (previously 150mm) and positioned approx. 1m west, forward of the building line of Collins Drive. It would appear the dwelling was marginally reduced in scale to facilitate this stepping off the boundary, with the angle of the rear wall of the dwelling altered affecting the stairwell/storage room/hall dimensions at ground level and the scale of the bathroom at first floor level.
- 7.6. The dwellings within this estate comprise a number of terraces in a block form. The dwellings are generally two storey with a standard pitched roof. The dwellings fronting onto Ballygall Road West are set back from the road, with the end terraces slightly stepped forward of the mid terraces in the block. The corner/end of terrace dwellings do not turn the corners or address the corners but instead there are wide open space corner sections, due to the manner in which the end-of-terrace dwellings have been designed. The proposed dwelling, which is on a highly visible corner site along the main artery of Ballygall Road West, in my view does not successfully address this corner in its design, given its gable ended form and angle of the rear elevation/roof, and would as a result be an incongruous insertion to the streetscape at this location. The addition of the windowless dormer further contributes to the incongruous nature of this dwelling. Notwithstanding the ratio and site coverage, as calculated by the applicant, complies with the Dublin City Development Plan 2016-2022, I note that the development plan highlights that these measurements alone cannot determine built form.

- 7.7. I note the precedent examples in the area quoted in the grounds of appeal, however this site differs in terms of its highly visible location and the limitations in the way the gardens between no. 2 and no. 69 are split. I note in one of the examples the house was constructed on a bigger site and in the other example, the private open space was accepted as being to the front of the dwelling, which is not acceptable or proposed in this instance. Overall, the proposal given the scale and form of the dwelling would represent overdevelopment of a restricted site due to the limitations presented by the angular nature of the site, and the proposal would set an undesirable precedent for other corner/side garden sites along Ballygall Road West.
- 7.8. The building line as originally submitted with the application is preferable to the relocation of the dwelling as proposed by way of further information, which saw the building line being broken along Collins Drive. Notwithstanding this amendment, overall the proposal is still considered incongruous due to its design and position on site.

### **Residential Amenity**

- 7.9. The Dublin City Development Plan 2016-2022 states that a minimum standard of 10 sqm. of private open space per bedspace will normally be applied. Generally, up to 60-70 sqm of rear garden area is considered sufficient for houses in the city. While the applicant has indicated that the proposed dwelling will have a rear garden of 38sqm (or 42 sqm if the amended drawings are considered) and the rear garden for the existing dwelling will have 36 sqm (the same for either of the layouts), I consider the angular nature of the space and the limited garden depth for the proposed dwelling would result in a substandard form of private open space for a new dwelling, as well as for the existing dwelling.
- 7.10. I note that the corner sites along this block have large side gardens to compensate for the restricted garden depths, therefore the side gardens are utilised as much as the rear gardens immediately to the rear of the dwellings. The proposed dwelling, with its angular garden depth, in combination with the dormer insert, would be overbearing on no. 69 and its private amenity space. The proposal would also be injurious to the amenities of the existing property of no. 2, given the limited size and shape of its remaining open space.



7.11. With regard to minimum standards for a 3 bed 2 storey house, as set out in the document 'Quality Housing for Sustainable Communities' by the DoEHLG, it would appear the applicant meets the guidelines. The floor plans state the combined living area has an aggregate area of 28.6 sqm (min required is 28sqm); single bedroom is 8.7 sqm (7.1sqm is required) and double bedroom is 13 sqm (13sqm is required).

#### 7.12. **Appropriate Assessment**

Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any European site, 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 considered the proposed dwelling on this corner/side garden site, which fronts onto Collins Drive, with gable end onto Ballygall Road West, it is recommended that the proposed development be refused for the reason set out hereunder.

### 9.0 **Reasons and Considerations**

Having regard to the restricted nature and prominent location of this corner site, it is considered that the proposed development by reason of its scale, form and design would constitute overdevelopment of a limited site area, would be visually obtrusive on the streetscape of Ballygall Road West and would result in substandard private amenity space for the existing and future residents. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

---

Una O'Neill  
Senior Planning Inspector

21<sup>st</sup> September 2017

---

