



An
Bord
Pleanála

Inspector's Report ABP 301754-18

Development	Alterations and extensions to existing single storey house to make a 4-bed house, demolish rear section, raise to the front roof level, single storey entrance hall, two storey extension to rear, new vehicular entrance and site works.
Location	Dal Riada Lodge, Grove Avenue, Stillorgan, Blackrock, County Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D18A/0069
Applicant(s)	Red Block Construction Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	Applicant v refusal
Appellant(s)	Red Block Construction Limited
Observer(s)	None
Date of Site Inspection	1 st August 2018
Inspector	Hugh Mannion

1.0 Site Location and Description

1.1. The application site has a stated area of 486m² and comprises an existing single storey cottage (64m²) and its private amenity space/garden which is about 20m long. The west elevation of the cottage forms part of the street side boundary, the remainder of this boundary is defined by a metal railing on a plinth wall and a pedestrian gate. The northern boundary adjoins a stream about 1m wide which is fenced off from the adjoining site to the north but open from the application site. The southern boundary adjoins the curtilage of a bungalow – ‘Judeville’. The site is within the same ownership as that of Dal Riada, a protected structure, to the southeast of the site which is subject to another current appeal under ABP- 301796-18

2.0 Proposed Development

2.1. The proposed development comprises;

- Demolish the rear portion of an existing single storey house (bathroom/livingroom/bedroom and kitchen).
- Erect a two storey rear return generally in the footprint of the demolished section with hall/living room, dining area and kitchen at ground floor and three bedrooms/three bathrooms at first floor.
- Amend the original single storey element along the boundary with Grove Avenue to provide a single storey entrance hall,
- Construct a new vehicular access to Grove Avenue.

All at Dal Riada Lodge, Grove Avenue, Blackrock, County Dublin.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission.

1. There is inadequate visibility at the entrance to Grove Avenue which would endanger public safety because of traffic hazard.
2. The proposed development would result in intensification of traffic on Grove Avenue, would obstruct traffic and endanger public safety.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The planning authority initially sought further information as follows;

- Provide revised entrance with sightlines of 45m in each direction on Grove Road.
- Provide an entrance of maximum 3.5m wide.
- Provide revised drawings demonstrating the relationship of northern boundary to the adjoining stream and 5 Grove Avenue.
- Revise the roof ridge height to be equal with that of 5 Grove Avenue.
- Revise the southern elevation to retain existing roof lights, retain the dashed front boundary wall. Plans to distinguish between wall(s) to be retained and wall(s) to be demolished.
- Revised plan demonstrating the depth of the rear garden and trees to be retained.
- Submit details of the relationship of the application site with the permission under D18A/0069 and the main house on site – Dal Riada house.

3.3. The applicant submitted the further information and the planning authority refused permission for traffic safety related reasons.

3.3.1. **Other Technical Reports:**

Surface Water Drainage Report stated no objection subject to conditions.

Transport Planning (28th February 2018) sought further information in relation to the provision of sightlines onto Grove Avenue and new 3.5m wide vehicular entrance gate. The second report (1st May 2017) after the submission of further information recommended refusal on the grounds of traffic hazard.

4.0 **Planning History**

A permission was granted under D08A/0889 for three houses on the adjoining site at 'Judeville'.

5.0 **Policy Context**

5.1. **Development Plan**

5.2. The site is zoned "A" to protect and improve residential amenity in the Dun Laoghaire County Development Plan 2016 to 2022.

5.3. **Natural Heritage Designations**

See AA screening below.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- The site is currently underutilised and the redevelopment of the site accords with the County Development Plan.
- The proposed will not materially intensify traffic in the area.
- The application in relation to the adjoin site at 'Judeville' was granted permission with no concerns about traffic hazard.

- Traffic calming works may be implemented with the agreement of the planning authority and can be conditioned as it was in reference D08A/0889 for three houses at 'Judeville'.
- The proposed development will not provide precedent for further development.

6.2. **Planning Authority Response**

- The planning authority has no further comments.

6.3. **Observations**

- There are no observations.

7.0 **Assessment**

7.1. The planning issues in this case are compliance with development plan standards and the issue of traffic safety as set out in the planning authority's refusal reason.

7.2. **Development Plan Standards.**

7.3. The site is zoned "A" to protect and improve residential amenity in the current County Development Plan. The plan requires that three-bedroom houses have a minimum of 60m² of rear garden space. The proposed development exceeds this provision. The plan (table 8.2.3) requires two off-road spaces for three bed units. In the present case one space is illustrated but I consider that there is room for two spaces. The development plan requirement is a maximum standard and given the suburban location and proximity to public transport I consider that parking provision set out in the application is sufficient.

7.4. The planning authority raised the relationship of the proposed house to the stream and adjoining property. The further information (see drawing EB01 PL400 Rev 1 received by the planning authority on 5th April 2018) provided details of the relationship of the site with the stream and no change is proposed. I conclude that this is acceptable. There is a single first floor bathroom window on the northern elevation facing the gable end of the property to the north. I conclude that a condition

requiring this window to be glazed in opaque glass will sufficiently protect the residential amenity of adjoining property.

- 7.5. The planning authority was satisfied with revisions submitted with the further information except for the assess/traffic safety point (see below) and the retention of the fabric of the original single storey cottage. In relation to retention of the fabric of the original cottage building it may be noted that it is not a protected structure and that the quantum of original structure being retained as provided for in the further information submission (see drawing EB01 PL101 Revision 1) is reasonable and consistent with the overall aim of re-development of the site for a permitted landuse. I conclude that this issue is not sufficiently significant to require refusal of permission.
- 7.6. **Traffic Safety.**
- 7.7. The planning authority refused permission because is poor visibility onto Grove Avenue.
- 7.8. The site is on the inside of a curve that exists on Grove Avenue from about the site entrance to the junction with Avoca Avenue to the south. The Development Plan requires a maximum of 3.5m width for domestic vehicular entrances. The application proposes 3m wide entrance, effectively widening the existing pedestrian gate – I consider that this is acceptable.
- 7.9. The 50kph applies on Grove Avenue at the site entrance and there is a multiplicity of domestic entrances on both side of the road in the vicinity of the application site. Previously under D08A/0889 permission was granted for three houses on the adjoining site at 'Judeville' with three separate entrances onto Grove Avenue with a condition that the footpath be widened to 2m along that site boundary. That development has not been carried out.
- 7.10. Having regard to the suburban location of the application site, to the pattern of residential entrances off Grove Avenue and adjoining roads, to the speed limit which applies at the site entrance, to the very limited capacity of the proposed development in terms of traffic generation I conclude that the proposed development will not materially impact on traffic volumes in the area, that the proposed site access is adequate and therefore that the proposed development will not endanger public safety by reason of traffic hazard.

7.11. Appropriate Assessment

7.12. Having regard to very modest scale of the proposed development and its location in a urban area where public piped services are available 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 a grant of planning permission for the reasons and considerations and subject to the conditions set out below.

9.0 Reasons and Considerations

The proposed development comprises an amended house on a site which has an established residential use and is zoned for residential development in the Dun Laoghaire Rathdown County Development Plan 2016-2022. It is considered that the proposed development, subject to compliance with the conditions set out below would not endanger public safety by reason of traffic hazard, seriously injure the amenity of nearby residential property and would otherwise accord with the provisions of the County Development Plan and 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 as amended by the further plans and particulars submitted on the 5th day of April 2018 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. Two no. car parking spaces shall be provided within the site. The location and layout of these spaces shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: To ensure adequate off-street parking provision is available to serve the proposed development.

3. The existing front boundary fence shall be retained except to the extent that its removal is necessary to provide for the shared pedestrian/vehicular entrance to the site. This entrance shall have a maximum width of 3m. Prior to commencement of development plans and particulars providing for the foregoing shall be submitted to and agreed in writing with the planning authority.

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.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

5. 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.

6. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Hugh Mannion
Senior Planning Inspector

20th August 2018