



An
Bord
Pleanála

Inspector's Report ABP-302262-18

Development	Construction of a bungalow with attic floor space (non-habitable) located to side and rear of property and vehicular access to front.
Location	2, Chanel Grove / Beechpark Avenue, Coolock, Dublin 5
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3005/18
Applicant(s)	Liam Lafferty
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Liam Lafferty
Observer(s)	Chanel Grove and Beech Park Residents
Date of Site Inspection	24 th October 2018
Inspector	Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site is located west of Coolock Village, approx. 7km northeast of Dublin City Centre. The site is located at the junction of Chanel Grove and Beechpark Avenue, approx. 80m west of the junction of Beechpark Avenue and Coolock Village Main Street. Chanel Grove is a small residential cul-de-sac of 35 dwellings, comprising six bungalows at the entrance to the cul-de-sac and two storey dwellings in the remainder. Beechpark Avenue is one of the main routes into the Beechpark residential area, which connects onto the Oscar Traynor Road/R104 northwest of the site and the wider road network of Kilmore Road. On the opposite side of the street to the appeal site/east side of Chanel Grove is a large open car park associated with a pub fronting onto Coolock Village Main Street.
- 1.2. The site comprises a hipped roof semi-detached bungalow with large side and rear garden. There is no off-street parking to the front of the dwelling, with a vehicular gateway located to the rear onto Beechpark Avenue, which is closed up with a large steel gate. The original garage at the rear boundary of the garden is no longer in use. I noted upon site inspection there was a car parked on the footpath to the front of the house. The side boundary of the property comprises a low wall, with planting (Leylandii Cypress trees) at the front side onto Beechpark Avenue, with this wall increasing in height toward the rear section of Beechpark Avenue.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Construction of a detached two bed bungalow with a stated floor area of 88sqm. The pedestrian entrance to the dwelling is from Beechpark Avenue, with the proposed dwelling to be served by a new vehicular entrance from Chanel Grove, and also the existing rear vehicular entrance from Beechpark Avenue to the rear of the site, for a proposed second car parking space in the rear garden area.

- Creation of a new vehicular entrance for the existing dwelling to the front of the existing dwelling.

2.2. The applicant as part of the grounds of appeal has submitted a revised design to take account of the reason for refusal. The proposed dwelling is amended as follows:

- The proposed dwelling now comprises a hipped roof finish to the front (previously apex, gable fronted, roof design) and a pitched roof to the rear section, with the attic level space omitted, a revised internal layout, and a revised stated floor area of 70sqm.
- The boundary wall to the street, which was originally proposed to be removed has now been reinstated as part of the grounds of appeal.
- The front car parking space for the proposed dwelling from Chanel Grove has been omitted.

3.0 Planning Authority Decision

3.1. Decision

Permission REFUSED for the following reason:

Having regard to the height and cramped form of development on this site and its proximity to boundaries, and loss of a portion of prominent boundary wall it is considered that the proposed development would give rise to overdevelopment of the site, would seriously injure the amenities of the area, would be visually incongruous and out of character. 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 Reports

The Planning Officer's report generally reflects the decision of the Planning Authority. The following is of note:

- It is considered that the proximity of the proposed dwelling to the existing will via visual coalescence transform the semi arrangement into a terrace.
- It is considered that the juxtaposition of a gable-fronted structure with the hipped-roof semidetached arrangement will provide for an incongruous form of development on a prominent local corner site.
- The subject proposal does not refer to the removal of part of the existing site's low side boundary wall to the north east and formation of a new off-street car space. It is considered that the removal of above wall reduces the enclosure and urban edge – which would be at odds with the character of the streetscape - while bringing the new house close to the footpath – which would be more akin to a backland type mews scheme. It would be recommended that at the very least the wall be retained with only a pedestrian gateway to access the main entrance into the house. One off-street car space would be sufficient.
- The amenity space meets standards is somewhat confined and disfigured with the site having to accommodate an off-street car space.
- Room sizes generally in accordance with requirements, except for master bedroom, which could be conditioned.
- The applicant is proposing a rear vertical first floor ope which would be c.7.6m from the boundary of No.6 Chanel Grove's rear private open space. Likewise the attic area will have rooflights which will overlook the residual parent garden area. It is recommended that these opes be fitted with opaque glazing to at least 1.8m above FFL.
- It is noted that while the 1st floor is stated as being for non-habitual has a ceiling clearance of up to 3m. If the small opening over the ground floor was floored over the attic would have a floor area of c.18m² - and could easily accommodate two additional bedspaces.

3.2.2. Other Technical Reports

Drainage Division: No objection subject to condition.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

One observation was submitted, the grounds of which is addressed within the observation to this appeal.

4.0 Planning History

PL29N.233563 –Permission REFUSED by ABP for 2 storey detached dormer style bungalow at side of existing dwelling, for the following reason:

Having regard to the cramped form of development on this site and its proximity to boundaries, it is considered that the proposed development would give rise to overdevelopment of the site, would seriously injure the amenities of the area, would be visually incongruous and out of character and would, therefore, be contrary to the proper planning and sustainable development of the area.

2855/08 – Permission REFUSED for detached 1 ½ storey dwelling in the rear garden, for reasons relating to overdevelopment, under provision and poor disposition of private open space; overlooking of 2 and 6 Chanel Drive and room sizes.

5709/07 - Permission REFUSED to demolish garage & outbuildings and construct 2 no. 1 bed apartments in rear garden, for reason relating to apartment style development being incongruous in an area characterised by single occupancy dwellings and amount to piecemeal development.

5.0 Policy Context

5.1. National Policy

- Project Ireland 2040 National Planning Framework (2018)

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (DEHLG 2009) and the accompanying Urban Design Manual: A Best Practice Guide (DEHLG 2009),
- Design Manual for Urban Roads and Streets (DMURS) (DECLG and DTTS 2013), and
- Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007).

5.2. Dublin City Development Plan 2016-2022

- **Zoning objective Z1**, the objective for which is ‘to protect, provide and improve residential amenities.’
- **Chapter 5:** Quality Housing.
- **Section 16.10.2:** Residential Quality Standards, Houses
- **Section 16.10.9:** Corner/Side Garden Sites

The following policies are relevant:

- **Policy QH8:** To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.
- **Policy QH21:** To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.
- **Policy QH 22:** To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise.

5.3. Natural Heritage Designations

The appeal site is not located within or adjacent to a Natura 2000 site.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has appealed the decision from Dublin City Council to refuse permission and the grounds of appeal is summarised as follows:

- Taking account of decision to refuse permission, amendments are proposed as part of the grounds of appeal which includes: omission of front parking space and removal of proposed attic space, which will allow revision of roof, replacing apex roof facing Chanel Grove with conventional hipped roof.
- The proposed dwelling is set back from the eastern boundary. The design and small scale of the proposed dwelling is compatible with the existing dwelling. The dwelling will be no greater in height than the existing dwelling and side boundary curved wall will be retained to retain the existing defined urban edge, providing for one parking space, which the DCC planner considered sufficient considering the modest scale of the dwelling.
- The proposed dwelling complies with development plan policy including QH22, QH5, QH13, QH21, and section 16.10.9 Corner/Side Garden Sites.
- The proposal would have no negative impact on the street character and may possibly improve the visual amenity when completed.
- The proposal will not impact on the residential amenities of adjoining sites.
- With regard to previous ABP refusal, the proposed dwelling differs in the following ways:
 - Building line is set back to existing building line on Chanel Grove.
 - The proposal is single storey and is significantly less in mass and size to previous refused application.
 - The proposal is modest in dimensions and will not exceed the height of the adjoining property of 2 Chanel Grove.
 - The proposal will harmonise with the existing adjoining development.

- The proposal achieves a fair balance between the reasonable protection of the amenities of adjoining developments and the requirement to utilise residential zoned infill development. The design is compatible with the mixed adjoining development which is primarily standard two storey houses on Beechpark Avenue. It is not out of character and it does not result in overlooking.
- The existing street trees will assist in harmonising the proposed dwelling. The proposal will improve the visual amenity along Beechpark Avenue.
- The site is located within the central core of Coolock Village with access to good public transport, social, educational and commercial services. The proposal is a considered approach to infill development.

6.2. Planning Authority Response

None.

6.3. Observations

An observation has been submitted on behalf of the residents of Chanel Grove and Beechpark Avenue and is summarised as follows:

- The applicant is not resident in the area.
- ABP under PL29N.233563 refused permission for a house on this site for reasons relating to the character of the area, particularly given proximity to boundaries, notwithstanding compliance with quantitative standards.
- Reason given in the previous refusal is still valid.
- When designed, a vehicular entrance was placed to the rear of the property given the proximity to the junction and corner the site is located on. It is not correct to say that the house has no vehicular entrance.
- The amenities of no. 2 are not improved, but reduced, with the proposed development.
- The proposal for a new vehicular entrance to the front of no.2 will result in a significant traffic hazard because of the proximity to the junction. A reduction in size of the entrance proposed does not mitigate the traffic hazard. The

opening is aesthetically unacceptable as such an entrance would disrupt the symmetry of the houses as originally planned.

- The proposal will likely reduce the amenity and value of the attached house, 4 Chanel Grove, and adjacent properties.
- The proposal would be an incongruous intrusion marring the present streetscape as view from the Main Street of Coolock Village.
- Since the previous refusal on the site in 2009, permission has been granted in to the area for apartment blocks and a medical centre. When these are completed there will be a considerable increase in traffic on Beechpark Avenue, causing more congestion and hazards around the junction with Chanel Grove.
- The amended plans submitted by the applicant as part of the grounds of appeal are insufficient to warrant a reversal of the decision.

7.0 Assessment

Planning History

- 7.1. Permission was refused on this site for a detached two bed dormer bungalow in 2009 (PL29N.233563). The difference between the previous application and this application is the design and width/position of the proposed dwelling relative to the boundary with Beechpark Avenue.
- 7.2. Under PL29N.233563, the proposed dwelling was of dormer design (dormers to front and rear), with overall height of 6.33m, the dwelling being approx. 6.3m wide by 10m deep, with the dwelling fronting onto Chanel Grove and the side elevation built up to the boundary with the adjoining street/Beechpark Avenue. Vehicular access was via the rear existing access and a garage was proposed. The current proposal is for a single storey gable fronted bungalow, with the bulk of the dwelling broken up through its design as two blocks, with the dwelling 1.1m off the boundary with Beechpark Avenue toward the front of the site and the rear block 2.4m from the boundary. There is also a staggered roof height, with the front section 6.2m high and the rear section 5.4m high. The dwelling is designed to address both Chanel Grove and Beechpark Avenue with the main entrance from Beechpark Avenue. The proposed dwelling has

been amended as part of the grounds of appeal to change the roof profile of the front section of the dwelling to a hipped roof, with a pitch remaining on the rear section and on the rear block.

- 7.3. This application, which is different to that previously refused by ABP in terms of its design and layout, is assessed de novo on its own merits.

Zoning

- 7.4. The subject site is located within zoning objective Z1, the objective for which is '*to protect, provide and improve residential amenities*'. The provision of residential development is considered acceptable in principle within the zoning objective for the area.

- 7.5. The primary issues for assessment include;

- Design & Impact on Amenity
- Traffic and Car Parking

Design & Impact on Amenity

- 7.6. The applicant considers the design as proposed in this application to be sufficiently different to that previously refused on this site and the previous reasons for refusal have been overcome. The design as originally proposed and as amended is considered to be in keeping with the area, will not be an incongruous addition to the streetscape and will not impact on the amenity of adjoining properties.
- 7.7. The observation to the appeal raises concern in relation to the design of the proposal, including the amendments submitted as part of the grounds of appeal, and contends the proposed dwelling will result in an incongruous addition to the streetscape and will impact negatively on the amenities of neighbouring dwellings.
- 7.8. The proposed dwelling generally meets development plan standards in relation to overall size and private amenity space for both the proposed and existing dwelling. The overall size of the dwelling is stated to be 70sqm and the requirement for a 2 bed 4 person single storey dwelling, as set out in the document Quality Housing for Sustainable Communities, is 70 sqm. The proposed garden area is 53sqm and the remaining garden space for the existing dwelling is 110sqm. The front building line is largely in line with the existing and the rear building line extends beyond the existing rear building line by approx. 6m, however, given the single storey nature of the

dwelling and its position north of the existing dwelling, this is in my view acceptable. Overall in terms of residential amenity the proposed dwelling will not result in overshadowing, loss of privacy or be overbearing on the existing dwelling.

- 7.9. The proposed dwelling is visible from both Chanel Grove and Beechpark Avenue and in my view it is important that the design of the dwelling addresses both streets. With regard to Chanel Grove, the overall height of the dwelling is 200mm lower than the ridgeline of the existing dwelling on the site and the proposed dwelling is read independently of it. I am satisfied that the proposed dwelling, with its width reduced from that proposed in a previous application, can sit comfortably adjoining the existing dwelling. I do not consider the proposed design (either the original or that proposed as part of the grounds of appeal), would be incongruous when read from Chanel Grove given the mix of dwellings types in this area.
- 7.10. The elevation to Beechpark Avenue, which is 25m in length, is of equal importance to that to Chanel Grove given its length and also given this is a busy through route. At present, the elevation to Beechpark Avenue is a low boundary wall for the section that turns the corner which then increases to a high boundary wall to the garden. In terms of passive surveillance of the public realm, this elevation is at present in my view poor. The proposed dwelling will have its primary entrance onto Beechpark Avenue and the additional windows proposed to this elevation will improve its streetscape presence, generating more pedestrian activity with people coming and going to the house. In my view the orientation of the dwelling to Beechpark Avenue and the manner in which it has been designed as two blocks, breaking up the length/bulkiness of the design, will be a positive addition to the streetscape.
- 7.11. The grounds of appeal proposes an amendment of part of the front roof profile, resulting in a mix of roof types on this house, which in my opinion detracts from the overall design of the dwelling, particularly from Beechpark Avenue. I consider the original proposed design to be preferable, subject to the side boundary wall being reinstated as proposed. The amendments proposed as part of the grounds of appeal to the internal arrangement are considered acceptable.
- 7.12. Overall, I am of the view, based on the information provided with this application in relation to dwelling size and corresponding open space, and having assessed the impact on neighbouring properties, the proposed dwelling can be accommodated

within the confines of the existing site and will not unduly impact on the amenities of neighbouring properties or of the area.

Traffic and Car Parking

- 7.13. The observation submitted raises traffic hazard concerns arising from the creation of a vehicular entrance for the existing dwelling given its proximity to the junction, its visual impact, and also concerns are raised in relation to the parking arrangements for the proposed dwelling to the front and to the rear.
- 7.14. The applicant as part of the grounds appeal has omitted one front parking space proposed off Chanel Grove for the new dwelling. Given the position of that proposed entrance right on the corner junction with no on-site turning area, I would agree that its provision would result in a traffic hazard. The existing vehicular entrance off Beechpark Avenue is to be utilised for one parking space. While it would be preferable for parking to be accessed from Chanel Grove and to maintain the private open space area for amenity purposes only, I am satisfied that the safest option in this instance is to utilise the existing entrance off Beechpark Avenue for the new dwelling and I note the remaining open space is adequate to serve the needs of future residents.
- 7.15. With regard to the proposed new entrance to the existing dwelling, I consider that given the distance of approx. 7m of the new entrance from the junction and the low speed environment of this small estate, the proposed new vehicular entrance to the existing dwelling is in my view acceptable. Appendix 5 of the development plan states that driveways should at most be 3.6m in width. The development plan further states design standards set out in the planning authority's leaflet 'Parking Cars in Front Gardens' shall also apply. Should the Board be minded to grant permission a condition to address the layout and design of the front garden parking area is recommended.
- 7.16. I do not consider the provision of this entrance will detract from the character of the street or of the existing semi-detached pair of dwellings. The area is not within a conservation area and the buildings are not historically unique in their design.

Other Matters

- 7.17. The observer to the appeal notes the applicant is not residing at this location. Whether or not the applicant is residing in the house in question is not critical for the purposes of submitting a planning application.
- 7.18. Having regard to the lack of a significant impact on the residential amenities of property in the vicinity, as discussed above, there is no evidence to support the observers' contention that the proposal would affect property values in the area.

Appropriate Assessment

- 7.19. 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.

Environmental Impact Assessment

- 7.20. Having regard to the minor nature and scale of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

8.0 Recommendation

- 8.1. It is recommended that permission be granted.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dublin City Development Plan 2016-2022, the existing pattern of development in the area, and the nature and scale of the proposed infill bungalow dwelling, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the 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, as amended by the by the further plans and particulars received by An Bord Pleanála on the 3rd August 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. The proposed development shall be amended as follows:
 - (a)The roof profile of the proposed dwelling shall be as submitted on the plans received by the planning authority on 15th May 2018.
 - (b) The floor plan and boundary treatment shall be as submitted on the plans received by An Bord Pleanala on 3rd August 2018.
 - (c)The hard surfacing for the car parking area to the front of 2 Chanel Grove shall be amended with parking provided for no more than two vehicles. This area shall be no wider than 5.5 metres and the remaining area shall be set out and permanently retained in soft landscaping/planting.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. This permission is for one residential unit only.

Reason: In the interest of clarity.

4. 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 the interest of the amenities of the area.

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. Details of the height of the boundary wall with Beechpark Avenue, where replaced, shall be in accordance with what exists in so far as is practicable. Details shall be submitted to the planning authority for written agreement.

Reason: In the interest of residential amenity.

7. Water supply and drainage arrangements, including the attenuation of 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.

8. The development shall comply with the following requirements of the planning authority:

- (a) The new vehicular access to 2 Chanel Grove shall be maximum 3.6m in width.

- (b) Any gates shall be inward opening only.

- (c) The footpath and kerb shall be dished to the requirements of the planning authority.

- (d) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In the interest of the proper planning and sustainable development of the area.

9. The numbering/naming of the dwelling unit shall be agreed with the planning authority in writing prior to the commencement of development.

Reason: In the interest of orderly development.

10. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours 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.

11. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

12. 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.

Una O'Neill

Senior Planning Inspector

12th November 2018