



An  
Bord  
Pleanála

## Inspector's Report ABP 305333-19

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<b>Development</b>	Demolition of garage and outbuildings and construction of two storey dwelling to side, alterations to existing house and new entrance, vehicle pavement crossing and a parking space for existing house.
<b>Location</b>	24 Beech Hill Drive, Donnybrook, Dublin 4.
<b>Planning Authority</b>	Dublin City Council
<b>P. A, Reg. Ref.</b>	3000/19.
<b>Applicant</b>	Jacqueline Mc Donnell,
<b>Type of Application</b>	Permission.
<b>Decision</b>	Grant Permission.
<b>Type of Appeal</b>	First Party
<b>Appellant</b>	Jacqueline Mc Donnell,
<b>Date of Site Inspection</b>	3 <sup>rd</sup> January, 2020
<b>Inspector</b>	Jane Dennehy

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## 1.0 Site Location and Description

- 1.1. The site has a s and is that of a two-storey house on a site with a total stated area of 452 square metres.

## 2.0 Proposed Development

- 2.1.1. The application lodged with the planning authority indicates proposals for construction of a two-storey house with a stated area of 85 square metres
- 2.1.2. on land forming the side garden of the existing house at No 24 Beech Hill Drive.
- 2.1.3. According to the written statement of the applicant, she has been provided with an opportunity to build a house for herself by purchasing part of her late grandmother's garden at No 24 Beech Hill Drive.

## 3.0 Planning Authority Decision

### 3.1.1. Decision

By order dated, 15<sup>th</sup> August, 2019, the planning authority decided to grant permission for the development subject to conditions which include the requirements under condition No 4 (A) for omission of the proposed passageway and door at ground level with the space for it being incorporated into the proposed dwelling. The reason provided is orderly development and visual amenity.

### 3.1.2. Planning Authority Reports

Further to issue of a request for additional information in relation to the proposed side passage and narrow width at ground floor level resulting in substandard room width having regard to the CDP considered to afford substandard attainable residential amenity for future occupants, among other issues about design and boundaries the planning officer, noted that the applicant intended to retain the proposed side passage recommended a grant of permission with its omission by condition.

## 4.0 Planning History

There is no record of planning history for the application site. However there is a record of a planning history for proposals extensions and infill development at No 22 Beech Hill Drive, the most recent of which is a grant of permission under P. A. Reg Ref WEB 1313/19 for demolition of existing garage, workshop, W.C., study and a boiler house and for the construction of a two storey three bedroom detached house with attic conversion and dormer roof at the rear, roof windows and solar panels at the front, widen existing vehicular entrance for proposed dwelling, proposed new vehicular entrance.

## 5.0 Policy Context

### 5.1. Development Plan

The operative development plan is the Dublin City Development Plan, 2016-2022 according to which the site location is subject to the zoning objective: *Z1: To protect, provide and improve residential amenities.*

Development Management Standards for residential development are set out Chapter 16 with guidance and standards for residential quality in section 16.10.2 for infill developments set out in section 16.10.10. Objective QH 8 provides for higher density development which respects the character of surrounding development on vacant or under-utilised sites.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

An appeal against Condition No 4 of the decision to grant permission was received from the applicant on her own behalf on 3<sup>rd</sup> September, 2019. Attached are copies of drawings.

It is requested that the requirement under Condition No 4 (A) for omission of the proposed passageway and door at ground level with the space for it being

incorporated into the proposed dwelling. The reason provided is orderly development and visual amenity.

The applicant does not accept that the appearance of two doors to the front is detrimental to visual amenity and sets precedent as stated in the planning officer report. According to Mc McDonnell:

- There is no need to create additional living room space, the proposal for the house being well proportioned and sized. Her requirement is for the entrance hall and utility space as proposed. The passageway allows or servicing to the front and rear and avoidance of bring bikes and refuse bins through the house. It is positive amenity for the occupants of the house and visual amenity in removing bins from front of house storage.
- There is no uniform pattern of semi-detached houses on the road and there is a mix of terraced, semi-detached dwellings, infills, apartments, extensions and porches. (Some photographs are provided.)
- The two doors are recessed and are similar to recent development on O'Byrne's Terrace and concrete surrounds to doors in the vicinity.
- The potential for precedent to be set is extremely limited. There are few remaining side gardens with just two remaining that could be developed with detached houses.

## 6.2. Planning Authority Response

There is no submission on file from the planning authority

## 7.0 Assessment

- 7.1. On review of the application, it is considered that the appeal can be determined in accordance with the provisions of section 139 of the Planning and Development Act, 2000 as amended in that the application for the proposed development and the assessment is satisfactory. *De Novo* consideration is therefore unwarranted.
- 7.2. The restriction in width in the configuration for the layout of the internal habitable accommodation is at ground floor only within the proposed dwelling. However, the configuration for the bedrooms and principle living room shown for the first floor and

second floor (attic) qualitatively, is reasonable and the latter appears compliant with current minimum headroom standards providing for reasonable attainable residential amenity.

- 7.3. At the subject site location, it is agreed with the appellant that the dwelling type and streetscape character is not uniform. On the other hand, it is also accepted that the proportions and similarities of the semi-detached pair would be lost. However, by virtue of the limited width of the proposed dwelling, the impact would not be overwhelming in adverse visual impact on the loss of the semi-detached pair as a feature in the streetscape context. It is borne in mind that the site location is not located midway along a streetscape of uniform semi-detached pairs of houses and is in fact adjacent to an infill terrace of three dwellings and that the site location is not in an area subject to any statutory designations relating to protected structures or groupings subject to specific statutory architectural conservation objectives for protection.
- 7.4. To this end, it is considered that the applicant has made a reasonable case in her appeal and it is considered that it should be upheld. It is therefore recommended that the planning authority be directed to omit condition 4 (a)

#### **Environmental Impact Assessment Screening.**

- 7.5. Having regard to the nature 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. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

#### **Appropriate Assessment**

- 7.6. Having regard to the planning history for the site, the zoning objective, the location of the site which is on serviced land, to the existing development on the site and in the vicinity and, to the nature and scale of the proposed development, no appropriate assessment issues arise, the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

In view of the forgoing it is recommended that the appeal be upheld, and that the planning authority be directed to remove Condition No 4 (a)

## 9.0 Reasons and Considerations

Having regard to the zoning objective Z1: *“To protect, provide and improve residential amenities”* for the site, as set out in the Dublin City Development Plan 2016 to 2022, to the design and layout of the proposed development and the architectural character of the existing streetscape in the vicinity, it is considered that, the proposed passageway and door at ground level would not seriously injure the residential amenities of the future occupants, or, the visual amenities and character of the streetscape and, would be in accordance with the proper planning and sustainable development of the area.

**Jane Dennehy,**  
Senior Planning Inspector  
6th January, 2020.