



An
Bord
Pleanála

Inspector's Report ABP 305496-19.

Development	Demolition of industrial unit and construction of two dwellings.
Location	Former tyre sales building, Orchard Lane, Blackrock, Co. Dublin.
Planning Authority	Dún Laoghaire-Rathdown Co. Council
Planning Authority Reg. Ref.	D19A/0485
Applicant	TDL Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant	TDL Ltd.
Observers	David & Margaret Farrer
Date of Site Inspection	31 st of January 2020
Inspector	Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The appeal site is located at Orchard Lane in Blackrock, County Dublin. Orchard Lane is a cul de sac situated to the north of Newtown Park. The site lies in close proximity to the Neighbourhood Centre at Newtownpark Avenue which includes a variety of shops, cafés/restaurants and a Dunnes supermarket.
- 1.2. Orchard Lane contains a mix of residential and commercial properties. Along the eastern side of the road and opposite the appeal site there are a number of two storey properties. The Courtyard Business Centre a purpose built business centre containing individual own door office units is situated to the eastern side of Orchard Lane. The vehicular access is from Orchard Lane. The northern end of the lane contains cottages. There are double yellow lanes along the western side of the lane for the majority of its extent while, there is provision for on-street car parking is along the eastern side of the lane for the majority of its extent.
- 1.3. The site has an area of circa 319sq m and contains a single-storey garage building of 144sq m which was formerly occupied by a tyre sales business. The site has frontage of circa 12.5m. The single-storey building located immediately to the north of the site contains a community centre which is in use as a Montessori school. A section of the southern boundary adjoins No. 28 Newtown Park, a two-storey period residence. The western site boundary adjoins an area which is densely planted. The northern site boundary addresses the lane at Orchard Cottages.

2.0 Proposed Development

- 2.1. Permission is sought for the demolition of the single-storey industrial unit and the construction of 2 no. x semi-detached, two-and-a-half-storey, 3-bedroom dwelling houses:
- 2.2. House 1 - 128 sqm, House 2 - 125.5 sqm. Dwelling walls to be pale clay brick with slate roofs. both dwellings to have rear gardens with paved off-street parking under each dwelling, one car to each dwelling.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for two reasons.

1. Having regard to the location and layout of the site and the proposal, it is considered that the proposed development, by itself or by the precedent which the grant of permission for it would set for other developments on adjoining sites in respect of the deficient off-street car parking space provision, would adversely affect the use of the existing road by traffic and would endanger public safety by reason of traffic hazard of obstruction of road users or otherwise.
2. Having regard to the restricted nature of the site and its corner location, adjacent existing residential properties to the north (side) and rear, and buildings to the south, and its height and form; the proposal would appear overly prominent on the streetscape, would not provide an unacceptable standard of private open space for future residents for House No. 2, and would lead to overbearing and overshadowing of the surrounding properties. It is considered therefore, that the proposed development, would seriously injure the residential and visual amenities and depreciate the value of property in the vicinity, would help set a poor precedent for similar type development in the area, and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Authority concluded that while the site is generally suitable for infill residential development of the proposed scale and density, they had concerns in relation to the overall height, design, insufficient car parking provision and substandard open space. It was concluded that the proposal failed to successfully to overcome 2 no. previous refusal reason issues under Reg. Ref. D19A/0173. Permission was recommended for refusal on that basis.

3.2.2. Other Technical Reports

Drainage Planning – No objection subject to conditions.

Transportation Planning – Further information was requested.

3.3. Prescribed Bodies

3.3.1. Irish Water – No objection

3.4. Third Party Observations

3.4.1. The Planning Authority received 5 no. submission in relation to the application. The issues raised are similar to those set out in the observation to the appeal.

4.0 Planning History

PA Reg. Ref. D19A/0173 – Permission was refused for the demolition of the single-storey industrial unit and the construction of 2 x semi-detached, three-storey, 4-bedroom dwelling houses, House 1: 124 sqm, House 2: 143.3 sqm. Dwelling walls to be pale clay brick with light zinc cladding to the upper half of the top storey. Both dwellings to have rear gardens with paved off-street parking at the front, one car to each dwelling, revised boundary walls to the north and east boundaries. Permission was refused for the following reasons;

1. Having regard to the location and layout of the site and the proposal, it is considered that the proposal would lead to endangerment of public safety due to the deficient off-street car parking space provision creating potential for illegal/ inappropriate parking on roads in the area and affecting local amenity. Therefore, the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise.
2. Having regard to the location and layout of the site and the proposal, it is considered that the proposed development, by itself or by the precedent

which the grant of permission for it would set for other developments on adjoining sites in respect of the deficient off-street car parking space provision, would adversely affect the use of the existing road by traffic and would endanger public safety by reason of traffic hazard of obstruction of road users or otherwise.

3. Having regard to the restricted nature of the site and its corner location, adjacent existing residential properties to the north (side) and rear, and buildings to the south, and its height and bulk; the proposal would represent overdevelopment of the site, would appear overly prominent on the streetscape, would not provide an acceptable standard of private open space for future residents of House 2, and would lead to overbearing and overshadowing of the surrounding properties. It is considered therefore, that the proposed development, would seriously injure the residential and visual amenities and depreciate the value of property in the vicinity, would help set a poor precedent for similar type development in the area, and would be contrary to the proper planning and sustainable development of the area.

Adjacent site to the south

PA Reg. Ref. D17A/0291 & PL06D.249247 – Permission was refused for the Demolition of existing single-storey building and construction of a new residential apartment block consisting of 5 apartments with all associated site works at 26 Newtown Park, Corner Newtown Park. Permission was refused by the Board for the following reason;

1. It is the policy of the planning authority, as set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential

development. It is considered that the proposed development would constitute overdevelopment of a restricted site and would comprise an excessive density of development, resulting in a scheme that would be substandard in terms of residential amenity for the occupiers of the scheme by way of the extent of single aspect units with poor orientation, inadequacy of functional private amenity space, and insufficient on-site parking. Furthermore, it is considered that the proposed development would generate problems of vehicular access onto and off Orchard Lane arising from the constrained nature of the site and would result in adverse physical impacts on the structure of number 28 Newtown Park due to the proposal to develop up to the gable of that property where a section of the adjoining property's roof oversails the site. The proposed development would, therefore, conflict with the policy of the planning authority, would be substandard for occupants of the proposed scheme, would seriously injure the amenities of property in the vicinity, and would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. Dún Laoghaire Rathdown County Development Plan, 2016-2022:

- 5.1.1. Land Use Zoning: The site is located in an area zoned as 'A' with the stated land use zoning objective 'To protect and-or improve residential amenity'.
- 5.1.2. Chapter 8 – Principle of Development
- 5.1.3. Section 8.2.3 – refers to Residential Development

5.2. Natural Heritage Designations

- 5.2.1. None relevant

5.3. EIA Screening

- 5.3.1. 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.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal was submitted by Hughes Planning & Development Consultants on behalf of the applicant TDL Ltd. The issues raised are as follows;

- It is submitted that the proposed development is modest in scale and that it has been designed to ensure a high standard of residential accommodation which would avoid any loss of residential amenity to future occupants or neighbouring properties.
- The first party cite a previous appeal case PL0D.218180 (Reg. Ref. D05A/1170) at 19/19a Lanesville, Monkstown, Co. Dublin for the demolition of an existing dwelling and construction of 2 no. three-storey dwellings. The development included off-street car parking for both houses. The Planning Authority granted permission and a third party appeal was made. The Board upheld the decision of the Planning Authority. The Inspector in assessing the appeal considered that the private open space provision at the rear of each dwelling whilst it is marginally below the recommended standard that the shortfall would not be so serious to warrant a refusal of permission.
- It is submitted that the development of 2 no. dwellings in place of the industrial unit on site would represent a more efficient use of residential zoned land. It is stated that proposed development is consistent with the overarching provisions of Project Ireland 2040 – National Planning Framework.

- It is argued that the proposed scheme represents a high quality contemporary design which has been designed to remain sympathetic to the overall character of the wider area.
- The proposed design has been informed by the need to protect the existing level of residential amenity of adjoining property. Specifically, building lines, elevational treatment and fenestration have been designed to limit potential loss of privacy, overshadowing and overbearing impact to both existing and future residential properties situated to the west and east. It is considered that there will not be a significant loss of residential amenity to the neighbouring properties on Orchard Lane.
- It is submitted that the proposed development is compliant with the minimum standards in terms of room areas, room widths and storage space for a 3 bedroom 5 person, two-storey houses as set out in the “Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities”, DoEHLG (2007).
- A private rear garden of 48sq m is proposed to House 2 and a 101sq m garden is proposed to House 1. While the rear garden to House 2 falls short of the Development Plan requirements it is submitted that ample public open space is available within walking distance of the site at Annville Terrace and Newtownpark Avenue. However, should the Board have concern regarding the private open space provision to House no. 2, the development could be amended by condition to reduce the number of bedrooms to two within House no. 2.
- In relation to the issues of overlooking and overshadowing the only property which would be considered to be sensitive to threat of overlooking would be the cottage at no. 1 Orchard Lane. Should the Board have concerns in relation to overlooking from the side (north) elevation upper floor windows of House 2, amendments to the window design could be required by way of condition.
- It is submitted that due to the modest two and half storey scale of the proposal which is stated as being of comparable scale to the existing industrial building

on site that the proposed development would not be considered to result in further loss of sunlight or daylight to the neighbouring dwellings.

- Table 8.2.3 of the Development Plan refers to car parking standards. One space is required per 1-2 bedroom unit and two spaces are required per three bedroom or larger dwelling depending on the design and location. Section 8.2.4.5 of the Development Plan is also cited. It states Reduced car parking standards for any development (residential and non-residential) may be acceptable dependant on:
 - The location of the proposed development and specifically its proximity to Town Centres and District Centres and high density commercial/business areas.
 - The proximity of the proposed development to public transport.
 - The precise nature and characteristics of the proposed development.
 - Appropriate mix of land uses within and surrounding the proposed development.
 - The availability of on-street parking controls in the immediate area.
 - Other agreed special circumstances where it can be justified on sustainability grounds.
- The proposed development provides for one car parking space to serve each three bedroom dwelling. It is submitted that the proposed car parking for the development would not cause harm to traffic safety in the area as the three units would be sold with one car parking space. The area has a number of double yellow lines which would also deter future occupants from having multiple vehicles as there would be nowhere in the vicinity to park.
- It is submitted the area is well served by public transport and that the need to travel by car is greatly reduced.
- In conclusion, it is stated that the proposal is in accordance with the proper planning and sustainable development of the area. The applicant respectfully request that the Board grant permission for the proposed development.

6.2. Planning Authority Response

It is considered that the grounds of appeal do not raise any new issues which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.3. Observations

An Observation to the appeal was submitted by Thornton O'Connor Town Planning on behalf of David & Margaret Farrar. The issues raised concern the following;

- David & Margaret Farrar are the owners of no. 28 Newtown Park.
- The Observers have serious concerns in respect of the design and scale of the proposed development which is directly adjacent to their property.
- The development as currently designed will have an undue adverse impact on the residential amenity of the area and represents overdevelopment of the site. It would have an overbearing and overshadowing impact upon adjacent properties and would provide a poor quality of residential amenity to future residents.
- It is submitted that the previous refusal reason issued under PA Reg. Ref. D19A/0173 have not been satisfactorily addressed.
- The number of car parking spaces proposed is not in accordance with the standards set out in the Dún Laoghaire Rathdown County Development Plan 2016-2022.
- It is submitted that Orchard Lane is very narrow and constrained and that the vehicular movement generated by the scheme would cause a traffic hazard when entering and exiting the proposed parking spaces from Orchard Lane.
- Reference is made to the report of the Senior Planning Inspector in respect of PL0D.249247. The appeal case refers to the neighbouring site to the south. It was noted in the report that car parking should be provided in line with the Development Plan standards and that the manoeuvring in and out of the car parking spaces would endanger public safety in the area.

- It is noted that the lane is severely constrained and narrow and that cars are constantly parked along the opposite side of the road which will make manoeuvring very difficult.
- It is not considered that the proposed development has been significantly changed in comparison to the scheme which was previously refused under PA Reg. Ref. D19A/0173.
- It is submitted that the proposed scheme will have a detrimental impact on the character of the streetscape by reason of being a bulky and overbearing development.
- The proposed development comprised by a bulky gable flanking the north-west corner of the observer's property. It is submitted that the windows to the upper floors will overlook the observer's rear garden.
- The observation disputes the suggestion in the appeal that the proposal is a modest two and a half storey scale development which is the same as the existing industrial building on the site.
- There is no daylight/sunlight analysis submitted with the application therefore it is unclear whether there will be any loss of sunlight or daylight to neighbouring dwellings.
- It is submitted that removal of trees will reduce the existing screening as viewed from the observer's site.
- The functionality of the private rear garden of the two dwellings is queried as it appears that the only access is provided to the rear garden is from bedroom no. 1 in each dwelling.
- The quantum of private open space proposed is significantly deficient.
- The site area is stated as 319sq m in the application form, however it would appear from a crude measurement of the site that it would have an area in the region of circa 290sq m.
- The Observers respectfully request that the Board refuse permission for the proposed development.

6.4. Further Responses

A further submission was received from Hughes Planning & Development Consultants on behalf of the applicant TDL Ltd in response to the Observation to the appeal. The main issues raised are as follows;

- The observation refers to Orchard Lane and states that it is very narrow and constrained and that cars entering and leaving the site would cause a traffic hazard. It is argued that the previous use of the site as a tyre sales building involved a number of cars entering and exiting the site on a daily basis. Furthermore, it is submitted that the laneway width is satisfactory to accommodate the vehicular movements generated.
- It is noted that the report of the Transportation Planning section did not recommend refusal and that it did not raise any concerns with the principle of the car parking layout and configuration.
- It is submitted that the marginal shortfall in private open space is acceptable.
- In relation to the issue of overlooking of the observer's property, it is noted that the windows on the southern elevation at the upper levels of the proposal do not directly face any adjoining private open space or opposing windows including no. 28 Newtown Park.
- The observation refers to the functionality of the private open space. Due to the restricted nature of the site it is necessary to configure the dwellings as proposed. It is submitted that it is acceptable.
- The stated site area on application form is 319sq m. It is considered that this is an accurate measurement of the site and that the drawings submitted area accurate.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal and in the observation submitted. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Design and impact on residential amenity.

- Access and parking
- Appropriate assessment

7.1. Design and impact on residential amenity

- 7.1.1. The subject site is located in an area zoned 'A' in the Dun Laoghaire-Rathdown Co. Development Plan 2016-2022, with the stated land use zoning objective 'To protect, provide and/or improve residential amenity' wherein appropriate infill residential development may be provided in accordance with the principles of good design and the protection of existing residential amenity.
- 7.1.2. The proposed development involves the demolition of the existing building which was formerly occupied by a tyre sales business and its replacement with a pair of semi-detached two and half storey dwellings. Accordingly having regard to the zoning of the site there is no principled objection to the proposed residential development of the site. However, having regard to relative limited site size it is necessary to establish whether it is appropriate to accommodate the subject development taking into account the relevant planning considerations.
- 7.1.3. The Planning Authority in their assessment of the proposal considered that the proposed dwellings were overly prominent in design in terms of their height and form in the streetscape. Furthermore, the Planning Authority considered that an unacceptable standard of private open space for future residents for House No. 2 was provided. In respect of potential impact upon existing residential amenities the Planning Authority considered that the proposal would have an overbearing and overshadowing of the surrounding properties.
- 7.1.4. Firstly, in terms of the proposed design I note that there are a mix of building heights along Orchard Lane with two-storey dwellings located along the opposite side of the road, while the dwellings to the north of the site are single storey. The proposed dwellings have a ridge height circa 8.43m and feature a pitched roof with a flat top. Dormer windows are proposed to the rear. While, I note it is a corner site there is a separation distance of over 4m to the neighbouring dwelling to the north. I would consider that in relation to the height and design of the proposed development that given the location of similar height properties on the opposite side of the road that the it can be satisfactorily integrated into the streetscape.

- 7.1.5. Secondly, in terms of the potential impact upon the adjacent properties including the observer's property no. No. 28 Newtown Park, I note that windows are proposed to the northern and southern gable elevations at first and second floor levels. The first - floor windows would serve the kitchen/living room. The second-floor gable windows serve bedrooms. I note that the windows to the northern elevation do not directly address opposing upper floor windows. In relation to the observer's property I note the proposed windows to the southern gable do not directly address or overlook that property. The proposed second floor rear dormer windows serve bedrooms and ensuite. These windows face due west and would address the adjoining mature tree planted area. Accordingly, I am satisfied that the proposed development would not cause any undue overlooking of surrounding property.
- 7.1.6. In relation to the matter of overshadowing I note that The BRE Report acknowledges the value of sunlight in external spaces in enhancing their overall appearance, ambience and amenity. Relevant spaces noted in the report include private gardens of dwellings. The report recommends that at least half of the area of relevant spaces should receive at least two hours of sunlight on 21st March. The first party in their submissions note the location of the existing trees on site and on the adjoining lands and west and state that these trees cause some overshadowing of the rear gardens of adjacent properties including the observer's property no. 28 Newtown Park. The first party submit that the proposed development will not result in any additional overshadowing of the observer's property. Having regard to the siting and design of the scheme the separation distance to adjacent dwellings to the south and west and the existing tree planting I am satisfied that the potential for any additional overshadowing would be very limited.
- 7.1.7. In terms of private open space the scheme as proposed provides rear gardens to serve each property. House no. 1 is a three-bedroom dwelling with a floor area of 128sq m. A rear garden with an area of 101sq m is proposed to serve that property. House no. 2 is a three-bedroom dwelling with a floor area of 125.5sq m. A rear garden with an area of 48sq m is proposed to serve that property.
- 7.1.8. Section 8.2.8.4(i) of the development plan refers to private open space for houses. It requires that all houses shall have an area of private open space behind the front building. The minimum private open space requirement for three-bedroom houses is 60sq m. The observation refers to the proposed access to the rear gardens of both

properties being provided through ground floor bedrooms. I would consider this is not an ideal design approach given that such access to rear gardens is generally provided from the communal living space within properties. Whilst the precedent decision outlined by the first party in the appeal is noted in respect of a shortfall of private amenity site, I do not consider it directly relevant in this instance.

Furthermore, notwithstanding the first party's suggestions that the shortfall in private amenity space to serve House no. 2 can be considered in light of the proximity of public open space at Annville Terrace and Newtownpark Avenue or that the Board could amend the scheme by condition and reduce the number of bedrooms to two within House no. 2, I am not satisfied that either option would appropriately address the matter particularly given the relative large floor area of the dwelling at 125.5sq m.

- 7.1.9. Therefore, I would concur with the assessment of the planning authority that the provision of private open space is not of a standard to meet the development plan requirements or the recreational needs of future residents of the proposed house no. 2. Accordingly, I would therefore conclude therefore that the proposed development would seriously injure the residential amenity of future residents.

7.2. Access and parking

- 7.2.1. The first refusal reason issued by the Planning Authority refers to deficit in the provision of off-street car parking to serve the scheme and the precedent which the grant of permission would set for other developments on adjoining sites.
- 7.2.2. Car parking standards are set out under Table 8.2.3 of the Dún Laoghaire Rathdown Development Plan 2016 – 2022. Generally, 1 no. car parking space is required for all one bed and two – bedroom dwellings and 2 spaces are required per three bed dwelling or larger. The proposed scheme comprises 2 no. semi-detached dwellings each containing three bedrooms. Therefore, the development would generate the requirement for 4 no. off-street car parking spaces. The site has limited frontage of 12.5m onto Orchard Lane. Furthermore, I note that there are double yellow lanes along the western side of the lane for the majority of its extent where the site is located. There is provision for on-street car parking is along the eastern side of the lane for the majority of its extent. On inspection of the site I observed that this on-street parking was fully utilised and that it is a busy location in terms of parking

generation uses having regard to the proximity of commercial, office and retail premises in the vicinity.

- 7.2.3. It is set out by the applicant that the shortfall in parking is not significant particularly in light of the location of the site in close proximity to excellent public transport connections. In this regard, I note that the site is situated 1.4km from the N11 bus corridor and 1.2km from Stradbroke Road which is served by the no. 4 bus route.
- 7.2.4. Notwithstanding the assertion in the appeal that potential future occupiers of the dwellings would have the requirement for one car parking space I would consider that the proposed development of these two dwellings of circa 125sq m are most likely to result in further on-street parking at this location generated both by residents and visitors.
- 7.2.5. In relation to the issue of car parking and access I would also note the decision of the Board in respect of the adjoining site to the south. Under appeal case PL06D.249247 permission was refused for the demolition of existing single-storey building and construction of an apartment building containing 5 no. dwelling units. The matter of insufficient on-site parking was cited in the refusal reason as was the matter of problems arising from the traffic movements generated by the vehicular access onto and off Orchard Lane. The Senior Planning Inspector in his assessment of the case considered that the parking layout proposed under that scheme would generate vehicular manoeuvres entering and exiting the site which will be particularly difficult, frequently resulting in reversing onto the public road and that such movements are likely to be severely constrained where parking along the opposite side of the narrow Orchard Lane occurs. The layout of car parking to serve that scheme comprised 5 no. on-site spaces in a row perpendicular to Orchard Lane. The current application similarly proposes 2 no. on-site spaces perpendicular to Orchard Lane. Accordingly, I would have similar concerns in respect of the constraints of the width of Orchard Lane in combination with the proximity of parked vehicles along the eastern side of the lane which would result in difficult vehicular manoeuvres being required to access and exit the proposed car parking.
- 7.2.6. I am of the opinion, that the shortfall in parking is significant, particularly having regard to the location of the site in area where there are existing car parking demands due to the mix of vehicular generating uses. In this context, I consider the

car parking provision to serve the development to be insufficient, that it would give rise to increased pressure for parking on roads in the vicinity of the site and set an undesirable precedent. Furthermore, having regard to the planning history of the adjoining site to the south and the fact that similar issues arise in respect of the difficulty of vehicular manoeuvring into and out of the proposed on-site spaces having regard to narrow nature of Orchard Lane I would concluded that the traffic turning movements generated by the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users.

7.3. Appropriate assessment

- 7.3.1. The appeal site is not within or adjoining any Natura 2000 site. Having regard to the nature and scale of the proposed development, the location of the site in a serviced suburban area and the separation distance to the nearest 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. I recommend a refusal of permission for the following reasons and considerations.

9.0 Reasons and Considerations

1. It is considered that the car parking provision for the proposed development and, in particular, the lack of sufficient on-site car parking spaces is seriously deficient and inadequate to cater for the parking demand generated by the proposed development, and would, therefore, be prejudicial to public safety by reason of traffic hazard on the public roads in the vicinity and which would tend to create serious traffic congestion. It is also considered that the traffic turning movements generated by the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is located in an area for which the zoning objective A is to protect and/or improve residential amenity as set out in the Dun Laoghaire-Rathdown County Development Plan 2016-2022. It is a policy of the planning authority, as set out in the Development Plan, that three-bedroom houses have a minimum of 60 square metres private open space in order to protect the residential amenity of future residents of such houses. The proposed development does not provide this minimum quantum of private open space for House no. 2. The proposed development would, therefore, seriously injure the amenity of future residents of the house, would contravene the policy set out in the Development Plan and would be contrary to the proper planning and sustainable development of the area.

Siobhan Carroll
Planning Inspector

12th of February 2020