



An  
Bord  
Pleanála

## Inspector's Report

### ABP-306367-20

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<b>Development</b>	Permission for 3 bedroom house
<b>Location</b>	Rear of 16A Saint Columbanus Road, Farranboley, Dublin 14.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council
<b>Planning Authority Reg. Ref.</b>	D19A/0553
<b>Applicant(s)</b>	Sinead Kavanagh and Shane Joyce
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Sinead Kavanagh and Shane Joyce
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	9 <sup>th</sup> March 2020
<b>Inspector</b>	Emer Doyle

## **1.0 Site Location and Description**

- 1.1. The subject site has a stated area of 0.02 hectares and is located to the rear of No. 16A St. Columbanus Road, Farranboley, Dublin 14.
- 1.2. The site comprises of part of the rear garden of No. 16A St. Columbanus Road. The site is accessed from a laneway to the rear known as St. Columbanus Place.
- 1.3. This laneway is a long laneway which mainly provides for pedestrian and vehicular access to the rear of a large number of properties in the vicinity. Two houses have been constructed with direct access from the laneway. One of these properties is located directly to the south of the property (No. 14A). This property is c. 15 years old and has a roller type garage door to the front.
- 1.4. There is a large area to the front of the terraced houses on St. Columbanus Road which is used for communal parking.

## **2.0 Proposed Development**

- 2.1. Permission is sought for a detached 3 bedroom dwelling with access from the laneway.
- 2.2. In response to the Further Information Request, revised drawings were submitted to the Planning Authority dated the 20<sup>th</sup> of November 2019 which omitted the window in the western elevation and provided for a larger window in the northern elevation.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission refused for one reason only relating to traffic safety.

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

#### **3.2.1. Planning Reports**

- The first report dated the 18<sup>th</sup> of September 2019 noted that the subject site occupies the vehicular entrance and car parking previously identified for No. 16A under D03B/0800. It was considered that the private open space complied with Development Plan standards and the floor areas complied with the guidance set out in Quality Housing for Sustainable Communities. Concern was raised in relation to overlooking from bedroom No. 3.
- The second report dated the 17<sup>th</sup> of December 2019 noted the Transportation Report and recommended refusal.

### 3.2.2. Other Technical Reports

**Transportation:** The first report dated the 12<sup>th</sup> of December 2019 noted that the proposed new house contains the existing vehicular entrance and parking for No. 16A as identified in D03B/0800 and required Further Information in relation to car parking for both houses and sightlines.

The second report dated the 16<sup>th</sup> of December 2019 noted the applicant's response and considered that the existing southern access onto St. Columbanus Road from the existing laneway does not have adequate sightlines.

**Drainage:** Both reports required Further Information in relation to drainage.

### 3.3. Prescribed Bodies

3.3.1. Irish Water: No objection subject to conditions.

### 3.4. Third Party Observations

3.4.1. None.

## 4.0 Planning History

### **PA YA/1717**

Permission granted by Planning Authority for dwelling in garden of No. 16 St. Columbanus Road.

### **PA D03/0800**

Permission granted by Planning Authority for retention of alterations to rear boundary block wall comprising an increase in height varying from 225mm to 675mm at No. 16A. This site layout showed the existing vehicular access and the footprint of the proposed house as the vehicular entrance and car parking area associated with No. 16A.

### **PA D02A/0710**

Permission granted for bungalow on adjacent site.

### **D09A/0426/ ABP PL 06D.234687**

Permission sought for the retention of works including the omission of a partial undercroft carport and its replacement with a study together with changes to the boundary, a rear extension and a velux roof light. Permission refused by Planning Authority and granted on appeal by the Board.

## 5.0 Policy Context

### 5.1. Development Plan

- The site is zoned Objective A 'to protect and/or improve residential amenity'.
- Chapter 8- Principles of Development.
- Section 8.2.3.4 (v) refers to Corner/ Side Garden Sites.

## 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**

The grounds of appeal can be summarized as follows:

- This is an existing laneway and we are not proposing to introduce traffic to this junction.
- The Planning Authority has already granted permission for two houses on the laneway.
- Many mews developments have been granted permission in similar circumstances.

### 6.2. **Planning Authority Response**

- The Board is referred to the previous planner's report. It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

### 6.3. **Observations**

6.3.1. None.

## 7.0 Assessment

7.1. The main issues in this appeal are those raised in the grounds of appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Traffic Safety
- Other Matters
- Appropriate Assessment

### 7.2. Traffic Safety

7.2.1. I consider that the main concern in relation to this application relates to traffic safety. It would appear that the layout of existing houses at this location is somewhat haphazard with permission granted for a house in the side garden of No. 16 without car parking in 1984. This house has pedestrian access only from St. Columbanus Road. There is a large communal parking area to the front of the terraces houses on St. Columbanus Road which serves a lot of houses in the vicinity. Part of St. Columbanus Road is one way only and there is a national school in the area which contributes to the pressure on parking in the area.

7.2.2. The Planning Authority noted that the history application under PAD03/0800 indicated a vehicular entrance and parking on the subject site however it is not clear if the area was ever used for parking and may have been used for access to the rear of the property only. From the site inspection, I noted that the area in front of the access is completely grassed over and is not in frequent use.

7.2.3. There is very limited development with direct access to the laneway with only two houses with direct access to the laneway. I note that the adjacent house had problems with parking due to the proximity to a bend and discovered during construction that the originally proposed parking could not be provided and provided for a roller shutter garage at this location in an appeal to An Bord Pleanála under PL06D.234687. This was refused by the Planning Authority but granted by the Board on appeal. I noted on the site inspection that there is grass growing between the lane

and the garage and it is not clear if this is in frequent use for the purpose of car parking or if it is for storage only.

- 7.2.4. I note that there are restricted sightlines at the junction of the laneway with St. Columbanus Road. The appeal acknowledges this issue but does not address it adequately in my view. The main point made by the appeal is that other houses have been granted in similar circumstances.
- 7.2.5. The report from the Transportation Section states that the primary issue is that the existing southern access onto St. Columbanus Road from the existing laneway, does not comply with the visibility standards/ requirements for such an access, i.e., the visibility splay to the right for vehicles exiting the existing laneway is substandard. I concur with this and note that the applicant has not submitted any modifications to address this matter.
- 7.2.6. As such, it is considered that the proposed development would endanger public safety by reason of traffic hazard by reason of the lack of adequate sightlines for vehicular access onto Saint Columbanus Road from the existing laneway.

### 7.3. **Other Matters**

- 7.3.1. I am satisfied that the revised drawings submitted to the Planning Authority dated the 20<sup>th</sup> day of November 2019 address the concern raised in the planner's report regarding overlooking by the removal of the window in the western elevation of bedroom No. 3.
- 7.3.2. I note that the applicant refers to the proposed development as mews development. I do not consider that this is mews development as the laneway is not identified as a mews area on Map 1 of the County Development Plan and the laneway has not been developed to such an extent that further development would have to be regarded as infill in accordance with Section 8.2.3.4(x) Mews Development of the County Development Plan. I consider that the relevant policy in relation to this site is Section 8.2.3.4(v) Corner/ Side Garden. This policy requires parking for both the proposed and existing house. There is discretion for relaxation of this policy should the Board be minded to grant permission having regard to the proximity to the Luas and the 1984 permission for the subdivision of the site and the construction of

No.16A. However, I consider that the laneway is not suitable for further development due to the length of the laneway and the high number of premises with existing access onto it and the inadequate sightlines onto the heavily trafficked St. Columbanus Road. As such, I consider that a grant of permission would set an unwelcome precedent in this case.

#### **7.4. Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development, a single house in a serviced urban area, and the 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. It is recommended that permission be refused for the reason set out below.

#### **9.0 Reasons and Considerations**

1. It is considered that the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users by reason of the lack of adequate sightlines for vehicular access onto Saint Columbanus Road from the existing laneway. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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Emer Doyle  
Planning Inspector

24<sup>th</sup> March 2020