



An
Bord
Pleanála

Inspector's Report

ABP-306926-20

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| Development | Demolition of garage to side of house and construction of two- storey flat roof extension. |
| Location | 67 Dalysfort Road, Salthill, Galway |
| Planning Authority | Galway City Council |
| Planning Authority Reg. Ref. | 19312 |
| Applicant(s) | Irene Hayden |
| Type of Application | Permission |
| Planning Authority Decision | Grant |
| Type of Appeal | First Party V. Condition No. 2 |
| Appellant(s) | Irene Hayden |
| Observer(s) | None |
| Date of Site Inspection | 8 th June 2020 |
| Inspector | Irené McCormack |

1.0 Site Location and Description

1.1.1. The site is situated in the suburb of Salthill to the south-west of Galway City. It forms part of a housing estate in a low-density residential suburb. The site is located on Dalysfort Road, which runs north-south between Dr Mannix Road and Salthill Road Lower and is on the western side of the road. The site, with a stated area of 0.0336ha, comprises a two-storey semi-detached house with attached single storey garage. The front garden boundary wall is 0.75m high. The area is provided with footpaths and forms part of a larger suburban residential estate.

2.0 Proposed Development

2.1. The planning application comprises:

- The demolition of existing flat roof single storey garage to side of house which abuts another building in separate ownership as part of a terrace of buildings and construction of two- storey flat roof extension in its location with external rear access created, demolition of standalone chimney stack and construction of a single storey flat roof extension to rear of property.
- The development will also consist of provision for a new dormer window at roof level to rear of property, a shed to rear of property, ancillary services and site works including a widening access entrance.

2.2. The existing house is 143sqm in area, it is proposed to demotion 24sqm. The proposed extension is 119sqm in area.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant planning permission subject to 9 conditions. The following are considered of relevance:

Condition no.2

Prior to the commencement of development, a revised site plan shall be submitted for the written agreement of the planning authority, in which the vehicular entrance is reduced to a width of 3 metres.

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

3.2. Planning Authority Reports

3.2.1. Planning Reports

Initial Planning Officer's report notes the zoning provisions of the area and that the principle of the proposed residential development is acceptable. Further information was requested in relation to rear design, open space, shed design, entrance opening width and location of heat pump. It was concluded following receipt of further information that subject to certain conditions the development was acceptable and in accordance with the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

None

5.0 Policy Context

5.1. Development Plan

The relevant document is the Galway City Council Development Plan 2017-2023. The site is zoned 'R' Residential – *To provide for residential development and for associated support development which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.*

Relevant policies and standards of the Galway City Development Plan 2017-2023 include:

Policy 2.6 Established Suburbs states: Ensure a balance between the reasonable protection of the residential amenities and the character of the established suburbs and the need to provide for sustainable residential development.

Section 11.3 Residential Development

- 11.3.1 (d) Overlooking •
- Section 11.3.1 (l) Residential Extensions “The design and layout of extensions to houses should complement the character and form of the existing building, having regard to its context and adjacent residential amenities.”
- 11.3.1 (g) Car Parking Standards –

Where on site car-parking space is to be provided in the front garden the following standards shall apply:

- The car parking space shall be 2.5m x 5m minimum.
- The vehicular entrance shall not normally exceed 3m in width, and where feasible the maximum extent of boundary wall/hedging shall be retained.
- Where gates are provided, they shall not open outwards.

Front gardens shall not be completely dedicated to car parking. The balance of space shall be suitably landscaped.

5.2. National Policy and Guidelines

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009)
- Quality Housing for Sustainable Communities, Best Practice Guidelines (2007).

Section 4.3.5 *Private Space*

Section 4.7.2 *Parking*

5.3. Natural Heritage Designations

The site is not located within or directly adjacent to any Natura 2000 sites. The site is located 0.5km northwest of Galway Bay SAC (site code 00268) and 0.6km northwest of Inner Galway Bay SPA (site code 004031).

5.4. **EIA Screening**

The proposed development is not of a class for the purpose of EIAR. The nature and scale of the development would not result in a real likelihood of significant effects on the environment.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The grounds of appeal relate to condition no. 2 only.

- It is set out that the house was purchased in 2019 with the intention of retaining the existing established entrance drive opening width as is.
- It is set out that the applicants eldest daughter has special needs and both family cars require access to the house to ensure her safety and protection.
- A reduction in the entrance width 3m will not facilitate the parking of two cars on site and will result in one car parking on the street which will obstruct access to the special needs school bus every morning and evening.
- It is noted that the area is busy with traffic and the reduction in off street parking will compound this.
- It is further noted that neighbouring properties received planning permission to widen their entrances.

6.2. **Planning Authority Response**

None

7.0 **Assessment**

7.1. **Introduction**

- 7.1.1. The site is zoned 'R' Residential – To provide for residential development and for associated support development which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods. Residential is a permissible use within this zoning category. The proposed development provides for an extension to the existing house. Therefore, the principle of the proposal is acceptable. I note the planning authority raised no concerns in this regard.

7.1.2. The main issues in this appeal are those raised in the grounds of appeal. The issue of appropriate assessment also needs to be addressed. I consider the substantive issues arising from the grounds of appeal and in the assessment of the application and appeal, relate to the following:

- Condition No .2 – Vehicular Access
- Appropriate Assessment

7.2. **Condition no. 2 -Vehicular Access**

7.2.1. Condition no. 2 of the decision of the planning authority stipulated that prior to the commencement of development, a revised site plan shall be submitted for the written agreement of the planning authority, in which the vehicular entrance is reduced to a width of 3 metres, in the interest of the proper planning and sustainable development of the area.

7.2.2. Section 11.3.1 (g) Car Parking Standards of the Development Plan sets out that where on site car-parking space is to be provided in the front garden the vehicular entrance shall not normally exceed 3m in width, and where feasible the maximum extent of boundary wall/hedging shall be retained and front gardens shall not be completely dedicated to car parking. The balance of space shall be suitably landscaped.

7.2.3. With respect to appeal site, I note the site is currently served by a vehicular entrance. Site inspection indicated that the vehicular entrance was widened some time ago and measures approx. 5.5m in width. The applicant is not proposing to alter the existing opening width, works are limited to rendering works to the remaining 6m length of boundary wall only. The applicant sets out that her eldest daughter has special needs and both family cars require access to the house to ensure her safety and protection. A reduction in the entrance width to 3m will not facilitate the parking of two cars on site and will result in one car parking on the street which will obstruct access to the special needs school bus every morning and evening.

7.2.4. In the context of the existing entrance arrangements established on site and noting the requirements of the applicant in this instance, which is supported by appropriate medical reports, I have no issue with the retention of the entrance opening width as exists. I further note that the applicant has indicated a portion of the front garden will

be landscaped and in conjunction with the retention of a 6m length of front boundary wall, I do not considered the development will alter the character of this residential area and is reflective of the established pattern in the area, where it is evident that a number of other properties in the immediate vicinity of the site have widened their vehicular accesses in a similar manner.

7.3. Appropriate Assessment

Having regard to the 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.

8.0 Recommendation

I recommend that planning permission should be granted, subject to conditions, as set out below.

9.0 Reasons and Considerations

Having regard to the zoning objective, the policies and objectives of the Galway City Development Plan 2017-2023, in particular Policy 2.6 *Established Suburbs* Section and Section 11.3 *Residential Development*, the design and layout of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or residential amenity 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 further plans and particulars submitted to the planning authority on the 30th January 2020, 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The public footpath at the entrance to both sites shall be appropriately dished to the satisfaction of the planning authority.

Reason: In the interest of proper planning and orderly development.

3. The developer shall ensure that the site is appropriately maintained and the public road and footpath remain free of any dirt and debris during the construction phase of development.

Reason: In the interest of proper planning and orderly development.

4. Details, including samples, 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.

5. Water supply and drainage arrangements, including the 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

6. Site development and building works shall be carried out only between the hours of 0800 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: To protect the residential amenities of property in the vicinity of the site.

Irené McCormack
Planning Inspector

6th July 2020