



An
Bord
Pleanála

Inspector's Report ABP-308556-20

Development	Retention of railings and log store to front of property
Location	40 Alma Road, Blackrock, Co.Dublin
Planning Authority	Dun Laoghaire-Rathdown County Council.
Planning Authority Reg. Ref.	D20A/0565
Applicant(s)	Deirdre Dempster
Type of Application	Permission
Planning Authority Decision	Refuse Retention Permission
Type of Appeal	First Party
Observations	None
Date of Site Inspection	24 th February 2021
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. Number 40 Alma Road consists of a large, two-storey semi-detached located on the north eastern corner junction site of Alma Road and Monkstown Road to the south. Alma Road runs on a south to north axis between Monkstown Road and Seapoint Avenue and is almost equidistant between Monkstown village to the east and Blackrock to the north west.
- 1.2. Alma Road is a residential street, primarily consisting of a mix of house types though some infill apartment blocks are located here. The road slopes downwards, towards the north.
- 1.3. The site boundary consists of a high red brick wall to the southern side/ adjacent to Monkstown Road. The front boundary (subject of this appeal) consists of three tall pillars, one attached to the boundary wall and the other two either side of the front entrance. The rest of the front/ western boundary consists of a high fence and sliding gate. An enclosed store is located within the front garden and the front also provides for off-street parking with space for a number of cars.

2.0 Proposed Development

- 2.1. The development consists of the retention of:
 - Railings along the front/ western boundary of the house facing onto Alma Road. The railings are circa 1.8 m in height and are of a 'louvred' design such that from certain angles they appear as a solid form.
 - An enclosed storage structure described as a log store.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for two reasons as follows:

1. 'The proposed railings for retention have a negative visual impact on the streetscape. The railing on site appear incongruous with the existing boundary treatments on this side of the street. It is therefore considered that the railings area not in accordance with Section 8.2.4.9(ii) Visual and Physical Impacts of the

Dún Laoghaire Rathdown County Development Plan 2016 – 2022 and would thereby be contrary to the proper planning and sustainable development of the area.

2. The development proposed to be retained would endanger public safety by reason of traffic hazard or obstruction of road users by restricted visibility and would be contrary to the proper planning and sustainable development of the area’.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Planning Authority Case Officer’s report reflects the decision to refuse permission for the retention of the front boundary treatment. As no drawings were submitted in relation to the proposed ‘log store’ this was not assessed.

3.2.2. Other Technical Reports

Municipal Services Department – Drainage Planning: No objection to this development.

Transportation Planning: Refusal recommended due to the endangerment of public safety by reason of obstruction on restricted visibility. The railings do not allow adequate visibility between pedestrians on Alma Road and vehicles that may be entering/ existing via the vehicular access.

3.2.3. Objections/ Observations

A total of three letters of objection were made to the Planning Authority, objecting to the retention of this development.

The following points were made in summary:

- The typical site boundary in the immediate area consists of a plinth base with wrought iron railings over.
- The previous planning permission under PA Ref. D18A/0672 permitted a boundary treatment that was sympathetic to the style of boundary on Alma Road. The subject design is totally out of character with what is existing in the area.

- The revisions to the driveway are not in keeping with the character of Alma Road. Other houses have revised their driveways, but which are in keeping with the character of the area.
- The development may set a precedent for similar alterations in the area.
- The need for railings of 1.8 m to match the previous boundary is incorrect, as the boundary was not of this height previously.
- No.40 is in a prominent location on the streetscape and the incongruous nature of the development results in a greater impact.
- The gates and boundary should be revised and should not provide for a solid boundary when viewed from certain angles.

4.0 Planning History

P.A. Ref. D18A/0672/ ABP Ref. PL06D.302674 refers to a December 2018 decision to grant permission for the adaptation of front boundary railings to relocate opening and replace swing gates with sliding gate, relocation of crossover and associated works. The appeal was made by the first party/ applicant and referred only to condition no.3 of the Planning Authority decision to grant permission and which required that the gates not be automated. It was decided that condition no.3 should be omitted.

I also note that condition no. 2 of the grant of permission stated:

‘The proposed ‘Re-instated’ front boundary railings, on either side of the proposed relocated vehicular entrance, shall be retained at the existing front boundary railing heights (of stepped 1.2 metres and 1.4 metres heights) and as matching the design/ height of the adjoining properties front boundary railings and plinths, and shall not be increased in height to 1.8 metres as shown proposed (and as ‘Existing’) (note: the proposed re-built/ re-located entrance pillars and gates height of 1.8 metres, and 2.3m height respectively, are acceptable)’.

P.A. Ref. ENF 9120 refers to an enforcement file opened as the boundary railings and pillars were not in accordance with the permission issued under D18A/0672.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the subject site is zoned A, 'To protect and/ or improve residential amenity'. Residential development is listed within the 'Permitted in Principle' category of this zoning objective.
- 5.1.2. The site is located immediately adjacent, but not within, the Monkstown Architectural Conservation Area (ACA), to the south and east.
- 5.1.3. Chapter 8 of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 refers to 'Principles of Development' and Section 8.2.4.9 refers to 'Vehicular Entrance and Hardstanding Areas'.

5.2. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has appealed the decision of Dun Laoghaire-Rathdown County Council to refuse permission for the retention of railings and a log store to the front of their property at 40 Alma Road.

Issues raised include:

- The railings were changed as a result of changes to the gate.
- There are a variety of gate types along Alma Road and these have changed due to the needs of residents over time.
- The use of vertical railings over a dwarf wall is consistent with the tradition and streetscape of the area.
- The word 'normally' does not exclude exceptions.
- The upgrade was carried out for reasons of road safety and person security. Concerned that due weight has not been given to the issue of security.

- A stepped boundary is not out of character with the area.
- The design is modern and does not create a 'pastiche' design.
- Considers the new gate to be safer and can't see how the development can be unsafe. The revised driveway allows for the parking of three cars off-site. The previous gate was narrower than what is now in place.

A number of photographs have been provided in support of the appeal.

6.2. Observations

- None

6.3. Planning Authority Response

- The grounds of appeal do not raise any new matters, so no additional comment is made.

7.0 Assessment

7.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Nature of Development
- Impact on the Character of the Area
- Pedestrian/ Traffic Safety
- Other Issues
- Appropriate Assessment Screening

7.2. Nature of Development

7.2.1. Permission was granted under PA Ref. D18A/0672 for relocated driveway and revised gate/ boundary treatment. Subsequently the boundary provided was not in accordance with the permitted development, the applicant applied to retain these revisions and permission was refused. An appeal has not been made to overturn the

decision of the Planning Authority to refuse permission for the retention of the revised front boundary.

7.3. Impact on the Character of the Area

- 7.3.1. I note the planning history of this site/ development, the decision of the Planning Authority and the appeal statement. The comments made in the appeal that boundary treatments in the area have changed over time. The appeal refers to the modern design of the boundary and how this is appropriate to ensure that 'pastiche' type development is not provided here. In general, I would accept this argument and modern designs can complement an established structure such as this house, which one of the objectors to the application referred to as being constructed in the 1920s.
- 7.3.2. The site is in a prominent location on the junction of Alma Road and Monkstown Road. From the history function available on Google Maps – Streetview, the previous boundary was heavily overgrown by planting, but it appears that the fence height was significantly less than 1.8 m and the pillars are also higher than what was there. The type of fencing provided is not what was proposed/ suggested in the permitted application.
- 7.3.3. From a visual point of view, I would have no issue with the height of fence located between the boundary wall and the pillar, to which the gate is attached. I have no objection to the plinth/ dwarf wall either. I do have an issue with the height of fence located between the gate pillar and the boundary with 38 Alma Road. The dwarf wall is stepped here and clearly, at a minimum, the fence should be similarly stepped to match.
- 7.3.4. There are two panels forming the fence on this northern most section and through the lack of stepping, the height become somewhat exaggerated. I note condition no. 2 of the Planning Authority under D18A/0672 and which specified stepped heights of 1.2m and 1.4m. The applicant did not appeal this aspect of the development and it can only be assumed that they were satisfied with this condition but have proceeded to provide for a boundary that does not comply with such heights. I consider that the conditioned heights would be appropriate and would provide for a suitable boundary along the front of this house. The height of the boundary as proposed for the northern section of the fence is not acceptable.

7.3.5. The second issue in relation to visual impact is the actual design of the fence itself. As reported, I have no objection to contemporary designed boundary treatments, but these should be appropriate to their location. The design of the supporting elements and framing of the fence is not appropriate to this location and would be more akin to what you would find in an industrial setting/ business park. In comparison to the adjoining lightweight fence, this fencing is visually incongruous with its setting and severely impacts on the streetscape.

The third issue in relation to the design is the louvred nature of the fencing. This can work in places, but the number of vertical bars/ fins provided results in the boundary appearing as a solid barrier when viewed from most angles. Facing the site front on to the west, the fencing appears as three solid metal sheet panels. This is visually unacceptable, and permission should be refused.

7.4. Pedestrian/ Traffic Safety

7.4.1. The second reason for refusal referred to traffic/ pedestrian safety. I note the comments made in the appeal statement and unfortunately it is clear that the appellant has not understood what the reason for refusal was. I understand the Transportation Planning report raises the concern in relation to visibility of pedestrians when viewed from vehicle exiting the site. The appeal considers that the revised driveway as permitted is safer than the previous one and this would be correct, however the development is not constructed in accordance with the submitted plans. The appellant has only considered the safety aspects in terms of vehicle users, primarily herself and not pedestrians who use the footpath to the front of the site.

7.4.2. The nature of the fins/ louvred sections is that they will appear as a solid panel when viewed from within the site, as they do from the outside, from certain angles. Combined with the excessive height and the pillars, visibility for vehicle drivers is severely restricted and pedestrians may be hit by vehicles exiting the site. I would suggest that Alma Road is heavily used by pedestrians as it provides a direct connection to Seapoint DART station to the north, from the Monkstown Road. Pedestrians may not be overly familiar with the driveway of no. 40 Alma Road and retaining this arrangement may give rise to safety issues for vulnerable pedestrians using the footpath along the front of the site.

7.4.3. I therefore concur with the Planning Authority that the retention of this fencing would be a safety hazard for pedestrians.

7.5. Other Issues

7.5.1. No details have been provided in relation to the storage unit/ log store located to the front of the house. This omission was referred to in the Planning Authority report and no attempt to address it was made in the appeal statement. The store is not easily visible from the public road at present; however, this is because of the height and design of the boundary fence in-situ. The store is located at a right angle to the fence and is of a similar height/ colour to the fence. The provision of a fence similar to that permitted under D18A/0672, would result in the store becoming highly visible and out of character with the area. The fencing has allowed for the front garden taking on the form of a storage yard and this is not visually acceptable. The log store should not be granted retention permission in its current form as it has a negative impact on the character of the area.

7.5.2. The appeal refers to the need for the boundary treatment due to security concerns. I was unable to contact anyone on site on the day of the site visit, yet the gate was open at all times. Alternative security measures can be provided other than excessively high gates/ boundary fence that negatively impact on the visual amenity/ character of the area.

7.6. Appropriate Assessment Screening

7.6.1. Having regard to the modest nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that permission be refused for the following reason and considerations as set out below.

9.0 Reasons and Considerations

1. The retention of this development, consisting of fencing, pillars and gate, by reason of its excessive height relative to adjoining boundaries, its bulk, and its design including the use of louvres, would be out of character with the pattern of development in the vicinity and would constitute a visually discordant feature that would be detrimental to the distinctive architectural and historic character of this section of Alma Road, which it is appropriate to preserve. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The pedestrian footpath to the front of the site on Alma Road is heavily used by pedestrians and the retention of the front/ western boundary treatment consisting of fences, gate and pillars would result in poor visibility by vehicle drivers, of the public footpath. It is considered that the retention of the development would endanger public safety by reason of traffic hazard or obstruction of road users by restricted visibility and would therefore be contrary to the proper planning and sustainable development of the area.
3. The retention of the log store, by reason of its location, design and height, would be out of character with the pattern of development in the vicinity and would constitute a visually discordant feature. The retention of such a structure may set a precedent for similar undesirable developments along Alma Road, which is a residential street with a distinctive architectural and historic character, which it is appropriate to preserve. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Paul O'Brien
Planning Inspector

25th February 2021

Encl. Copy of Google Streetview

Image – dated August 2014