



An
Bord
Pleanála

Inspector's Report 309660-21

Development	Demolition of existing shed and construction of 2-storey, 3-bedroom house
Location	2 & 2a Clonturk Park, Drumcondra, Dublin 9
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3910/20
Applicant(s)	Eugene Kerrigan
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party v. Decision
Appellant(s)	Eugene Kerrigan
Observer(s)	(1) Stephen & Jackie O'Reilly (2) Geraldine Byrne (3) Sabina O'Donnell (4) All Hallows Area Association (5) Helen O'Neill (6) Martin Frawley & Geraldine O'Malley (7) Máiréad McCarthy & Niall Lambe (8) John Ferry & Catherine Quinn (9) Jack & Marie-

Claire Cronolly (10) Frank & Kathy
Conway (11) Joseph Long

Date of Site Inspection

26th May 2021

Inspector

Louise Treacy

1.0 Site Location and Description

- 1.2. The subject site has a stated area of 469 m² and is located at Nos. 2 and 2a Clonturk Park, Drumcondra, Dublin 9. The site is located on the northern side of a residential street, which is characterised by terraced, 2-storey properties. The site is located opposite the surface car park of the Tesco Metro store which fronts onto Drumcondra Road Upper to the south-west.
- 1.3. The existing development comprises a 2-storey, end-of-terrace dwelling (No. 2) and a single-storey detached garage (No. 2 a) adjacent to the rear site boundary. The property has a significant rear garden, which extends to 46 m in length to the rear site boundary, including the footprint of the detached garage. A small single-storey shed is attached to the boundary wall to the rear of the dwelling house. The adjoining site to the east accommodates a 2-storey terraced dwelling and has a single storey garage structure to the rear which adjoins that on the subject site.
- 1.4. A vehicular laneway extends along the western site boundary which connects Clonturk Park to the south with Ormond Road to the north. This laneway slopes upwards in a northerly direction and facilitates north-bound vehicular movements only. Vehicular and pedestrian entrances open onto the western side of the laneway and serve the rear of the existing properties at Drumcondra Road Upper to the west of the site.
- 1.5. A further laneway extends in an east-west direction along the rear site boundary (referred to hereafter as “Graybar Lane” as per the planning application drawings). The existing garage to the rear of the site has a vehicular entrance which opens onto the splayed junction of both laneways. Graybar Lane is unsurfaced and poorly maintained and extends in an easterly direction for approx. 260 m where it adjoins the boundary with Drumcondra National School and thereafter extends in a northerly direction for approx. 33 m where it links with Church Avenue. Pedestrian and vehicular entrances within the rear property boundaries at Ormond Road and Clonturk Park open onto this laneway.

2.0 Proposed Development

2.1. The proposed development consists of:

- (1) the demolition of the existing shed at No. 2 Clonturk Park and the existing garage at No. 2a Clonturk Park,
- (2) the relocation of the side / west boundary wall and the surfacing for the widening of the side laneway,
- (3) the construction of a 2-storey, 3-bedroom house at No. 2a Clonturk Park with provision for 1 no. parking space,
- (4) the division of the existing garden resulting in a 50 m² private open space to the proposed new dwelling and a 105 m² private open space to the existing house, and
- (5) all ancillary site and landscaping works.

2.2. The proposed dwelling has a stated floor area of 111 m². It is modern in design with a sedum green roof and an overall height of 5.275 m onto Graybar Lane and 6.02 m above the level of the adjoining north-south laneway. The 1st floor oversails the ground floor level of the dwelling to the front and side. The dwelling is set back from the northern site boundary by a maximum of 7.455 m. One off-street car parking space is proposed to the front, accessed from Graybar Lane.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Refuse Permission for 1 no. reason issued on 12th February 2021.
- 3.1.2. The proposed development was considered contrary to the provisions of development standard 16.10.16 Mews Dwellings having regard to traffic safety and the inadequate width of the laneway, and as such, was considered contrary to the provisions of the Dublin City Development Plan 2016-2022.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

3.2.2. Basis of Planning Authority's decision.

3.2.3. **Other Technical Reports**

3.2.4. **Transportation Planning Division:** Recommends that planning permission be refused based on the inadequate width of the mews laneway.

3.2.5. **Engineering Department Drainage Division:** No objection to the proposed development subject to conditions.

3.3. **Prescribed Bodies**

3.4. **Irish Water:** None received.

3.5. **Third Party Observations**

3.5.1. A total of 19 no. observations were made on this application from: (1) Christophe Lynn, No. 25 Claremont Park, Sandymount, Dublin 4, (2) Ian and Susan Spillane, No. 11 Ormond Road, Drumcondra, Dublin 9, (3) Stephen & Jackie O'Reilly, 4 Clonturk Park, Drumcondra, Dublin 9, (4) Joseph Long, 45 Ormond Road, Drumcondra, Dublin 9, (5) Frank & Cathy Conway, 41 Ormond Road, Drumcondra, Dublin 9, (6) Michael O'Rourke, 3 Ormond Road, Drumcondra, Dublin 9, (7) All Hallows Area Association, c/o Albert Dale, 22 Glandore Road, Drumcondra, Dublin 9, (8) Martin Frawley & Geraldine O'Malley, 25 Ormond Road, Dublin 9, (9) John Ferry, 7 Ormond Road, Drumcondra, Dublin 9, (10) Sabina O'Donnell, 19 Ormond Road, Drumcondra, Dublin 9, (11) Geraldine Byrne, 10 Clonturk Park, Drumcondra, Dublin 9, (12) Máiréad McCarthy & Niall Lambe, 6 Clonturk Park, Drumcondra, Dublin 9, (13) Robert O'Connor, 5 Ormond Road, Drumcondra, Dublin 9, (14) Amanda Smyth & Pier Paole Floreani, (15) Helen O'Neill, 29 Ormond Road, Drumcondra, Dublin 9, (16) Jack & Marie-Claire Cronolly, 23 Ormond Road, Drumcondra, Dublin 9, (17) Paul Killoran, 21 Ormond Road, Drumcondra, Dublin 9, (18) Frances Quinn, 9 Ormond Road, Drumcondra, Dublin 9, (19) Jim Stokes, 5 Clonturk Park, Drumcondra, Dublin 9.

3.5.2. The points which are raised can be summarised as follows: (1) the development of housing along the laneway will help alleviate serious housing pressure in the area;

(2) enhancements to the public laneway should benefit all stakeholders in the immediate area, (3) a smaller driveway and expanded laneway at the junction would reduce access/egress issues from this house and avoid congestion on the lane, (4) impact on sewage and water services, (5) increased traffic and demand for parking, (6) overlooking of No. 4 Clonturk Park, (6) no footpaths on the laneway, (7) no surface water management proposals, (8) insufficient public lighting, (9) fire hazard due to poor accessibility, (10) overshadowing of adjacent gardens, (11) impact on green spaces and nature, (12) inappropriate precedent, (13) planning permission previously refused for development on this site under Planning Reg. Ref. 0605/97, (14) a private laneway serves the development, (15) overlooking, (17) anti-social behaviour on laneway, (18) flooding from River Tolka, (19) inaccurate measurements provided for laneways serving the site, (20) disturbance during construction works, (21) Clonturk Park offers significant potential for well-designed, backland development, (22) precedent for the demolition of an industrial unit and construction of 4 dwellings at 1 - 4 Clonturk Square.

3.5.3. I note that Geraldine Byrne and Máiréad McCarthy & Niall Lambe both submitted addendums to their original submissions.

4.0 Planning History

4.1. **Planning Authority Reg. Ref. 5067/05:** Planning permission granted on 9th January 2006 for the creation of a new drop kerb and new driveway to the front of the existing house.

4.2. **Planning Authority Reg. Ref. 0605/97:** Planning permission refused on 15th May 1997 for a dormer bungalow to the rear of No. 2 Clonturk Park. Planning permission was refused based on (1) overshadowing of rear gardens to the east of the site (2) substandard laneway width, and (3) the development would set a precedent for similar development on other substandard laneways.

5.0 Policy and Context

5.1. Dublin City Development Plan 2016-2022

5.2. Land Use Zoning

- 5.2.1. The site is subject to land use zoning “Z1” (Sustainable Residential Neighbourhoods) which has the objective “to protect, provide and improve residential amenities”.
- 5.2.2. Residential land uses are permissible under this zoning objective.

5.3. Housing Policy

- 5.3.1. **Policy QH1:** To have regard to the DEHLG Guidelines on ‘*Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities*’ (2007), ‘*Delivering Homes Sustaining Communities – Statement on Housing Policy*’ (2007), ‘*Sustainable Urban Housing: Design Standards for New Apartments*’ (2015) and ‘*Sustainable Residential Development in Urban Areas*’ and the accompanying ‘*Urban Design Manual: A Best Practice Guide*’ (2009).
- 5.3.2. **Policy QH7:** To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.
- 5.3.3. **Policy QH8:** To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.
- 5.3.4. **Policy QH21:** To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.
- 5.3.5. **Policy QH22:** To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise.

5.4. Mews Dwellings Development Standards

- 5.4.1. The Planning Authority will encourage the unified development of mews laneways. Building heights will generally be limited to two storeys, with one off-street car

parking space required for each dwelling. Mews laneways must have a minimum carriageway width of 4.8 m, or 5.5 m where no verges or footpaths are provided. All mews lanes will be considered shared surfaces, and footpaths need not necessarily be provided.

- 5.4.2. Private open space shall be provided to the rear of the mews building and shall be landscaped to provide for a quality residential environment. The depth of the open space for the full width of the site will not generally be less than 7.5 m and where provided, the requirement for 10 m² of private open space per bedspace may be relaxed. A separation distance of 22 m should be maintained between opposing windows but may be relaxed due to site constraints.

5.5. Private Open Space for Housing

- 5.5.1. Private open space for houses is usually provided by way of private gardens to the rear or side of a house. A minimum standard of 10 m² of private open space per bedspace will normally be applied, with up to 60-70 m² of rear garden area sufficient for houses in the city.

5.6. Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes Sustaining Communities (2007)

- 5.7. These Guidelines set out target gross floor areas for a range of different dwelling types. Those which are relevant to this appeal case are identified below.

House Type Bedroom (B) Person (P) Storeys (S)	Target GFA (m ²)	Min. main living room (m ²)	Aggregate living area (m ²)	Aggregate bedroom area (m ²)	Storage (m ²)
3-B/5-P/2-S	92	13	34	32	5

- 5.7.1. The Guidelines also recommend the following:

- A main bedroom area of at least 13 m² in dwelling for 3+ persons;
- Double bedroom of at least 11.4 m² (min. width 2.8 m)
- A single bedroom of at least 7.1 m² (min. width 2.1 m);

- Min. obstructed living room width of 3.6 m for 2-bedroom dwellings and 3.8 for 3-bedroom dwellings.

5.8. National Planning Framework (NPF)

- 5.8.1. The NPF sets out objectives which aim to secure more compact and sustainable growth patterns in urban areas in the period to 2040.
- 5.8.2. **National Policy Objective 3b** seeks to deliver at least 50% of all new homes targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

5.9. Natural Heritage Designations

- 5.9.1. None.

5.10. EIA Screening

- 5.10.1. Having regard to the nature and scale of the proposed development, comprising 1 no. residential dwelling in an established residential area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment 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

- 6.1.1. Virtus Project Management has lodged an appeal against the Notification of the Decision to Refuse Permission on behalf of the applicant. The appeal submission proposes to amend the development by:

- (1) Including a footpath along the western site boundary. The footpath would be primarily accommodated on the appellant's lands and is suggested to be taken-in-charge by Dublin City Council.
- (2) The reconfiguration of the vehicular access arrangements to the proposed development, comprising access via Graybar Lane and egress to the north-south laneway.

6.1.2. A revised site plan drawing is included in Appendix 2 of the appeal submission. The Board is invited to implement the revised proposal by way of condition in the event planning permission is granted in this instance.

6.1.3. The grounds of the appeal can be summarised as follows:

- The proposed development does not contravene or conflict with Section 16.10.16 of the development plan in any material way.
- The Transportation Planning Division has not acknowledged that the proposed development offers potential for improvements to Graybar Lane by way of widening of the laneway offering the potential to provide a footpath.
- There is no basis in road safety terms for a mews laneway to be 4.8m in width, with DMURS guidance encouraging reduced carriageway widths. If considered necessary by the Board, the proposed development can ensure that the laneway achieves a width of 4.8 m on the north-south and east-west arms, save for a pinch point of 4.7 m.
- A vehicle tracking exercise has been undertaken which demonstrates that vehicular movements into and out of the proposed on-site car parking space are achievable in the alternative design scenario.
- The proposed development would set an appropriate precedent for potential additional mews development on adjacent plots along the east-west laneway. The development of these plots and continued widening of the laneway to 4.8m would facilitate 2-way traffic movements.
- The development complies with the zoning of the site and will not give rise to any issues in relation to traffic or pedestrian safety.
- The proposed development is in a unique position to offer significant improvements to Graybar Lane and to be the catalyst for additional improvements.
- The north-south laneway currently operates comfortably on a one-way basis and accommodates a reasonable amount of pedestrian and vehicular traffic, with no evidence to suggest that the laneway operates in an unsafe manner. The proposed development would not materially add to traffic on the laneway given that only 1 no. car parking space is proposed.

- The amended development offers the potential for a much-improved environment on the north-south laneway by way of the inclusion of a footpath on the applicant's lands. The footpath could be further extended to the north by the Council or by way of any similar development that might take place to the north of the laneway.
- It is not uncommon for mews dwellings to be permitted on laneways that are less than 4.8 m wide (ABP Ref. 301905-18 refers).
- A unified approach to development along the mews laneway is not achievable given the multiple land ownerships which apply.
- The proposed development is a 2-storey flat roofed dwelling which has been designed with a contemporary appearance to make a positive contribution to the character of the area.

6.1.4. The appeal includes a Traffic Report prepared by TPS M Moran & Associates. This report notes DMURS guidance which states that in new designs, the standard lane width on arterial and link streets should lie in the range of 2.75 m to 3.5 m, with a preferred value of 3.0 m to 3.25 m. The report submits that the existing link roads in the vicinity of the application site are not a mews type arrangement and therefore could reasonably be excluded from this type of road link design criteria.

6.1.5. The report also includes 2 no. swept path analysis drawings which confirm that inbound and outbound private car movements can be facilitated from the site under the revised development scenario. A swept path analysis is also included to demonstrate that fire tender access can be achieved along the north-south laneway.

6.2. Planning Authority Response

6.2.1. None received.

6.3. Observations

6.3.1. A total of 11 no. observations have been lodged on the appeal by: (1) Stephen & Jackie O'Reilly, 4 Clonturk Park, Drumcondra, Dublin 9, (2) Geraldine Byrne, 10 Clonturk Park, Drumcondra, Dublin 9, (3) Sabina O'Donnell, 19 Ormond Road, Drumcondra, Dublin 9, (4) All Hallows Area Association, c/o Albert Dale, 22

Glandore Road, Drumcondra, Dublin 9, (5) Helen O'Neill, 29 Ormond Road, Drumcondra, Dublin 9, (6) Martin Frawley & Geraldine O'Malley, 25 Ormond Road, Drumcondra, Dublin 9, (7) Máiréad McCarthy & Niall Lambe, 6 Clonturk Park, Drumcondra, Dublin 9, (8) John Ferry & Catherine Quinn, 7 Ormond Road, Drumcondra, Dublin 9, (9) Jack & Marie-Claire Cronolly, 23 Ormond Road, Drumcondra, Dublin 9, (10) Frank & Kathy Conway, 41 Ormond Road, Drumcondra, Dublin 9, (11) Joseph Long, 45 Ormond Road, Drumcondra, Dublin 9.

6.3.2. I consider that no new material planning issues have been raised in the observations (see section 3.5.2 of this report for summary of third-party submissions).

6.4. Further Responses

6.4.1. None.

7.0 Assessment

7.1. In seeking to address Dublin City Council's Notification of the Decision to Refuse Planning Permission, the applicant proposes to amend the development by including a footpath along the length of the western site boundary (see revised site plan drawing included in Appendix 2 of the appeal). The footpath terminates at the splayed junction with Graybar Lane.

7.2. The width of the proposed footpath ranges from 1.08 m at the junction with the public footpath at Clonturk Park, to 1.625 m midway along the laneway, reducing to 1.325 m adjacent to the site entrance to the proposed dwelling.

7.3. It is also proposed to reconfigure the front boundary wall at the north-western corner of the site, with separate entrances provided to facilitate inward and outward vehicular movements. No alterations are proposed to the location or form of the proposed dwelling house.

7.4. In my opinion, the alterations which are proposed to the development are material and would be more appropriately dealt with by way of a revised planning application. I also note that part of the proposed footpath is located on lands which are understood to be under the control of Dublin City Council. As such, a letter of consent to undertake the works would be required. Notwithstanding the foregoing, my assessment considers the proposed amendments for the benefit of the Board.

7.5. I am satisfied that the main issues for consideration in this case include:

- Principle of the Development
- Compliance with Development Plan Policy / Standards
- Site Access Arrangements
- Appropriate Assessment

7.6. Each of these issues is addressed in turn below.

7.7. Principle of the Development

7.7.1. The site is subject to land use zoning “Z1” (Sustainable Residential Neighbourhoods), which has the objective “to protect, provide and improve residential amenities”. Residential land uses are acceptable in principle under this zoning objective. The subject site has an extensive rear garden of approx. 46 m in length (including the existing garage), and as such, has the capacity to accommodate an additional residential dwelling. I further note Objective 3b of the NPF, which seeks to deliver 50% of all new homes targeted in the 5 main cities and suburbs within their existing built-up footprints.

7.7.2. Based on the foregoing, I consider that the principle of the development is acceptable at this location, subject to its compliance with all relevant development management standards and policies.

7.8. Compliance with Development Plan Policy / Standards

7.8.1. The “Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes Sustaining Communities” (2007) identify a target gross floor area of 92 m² for a 3-bedroom/5-person, 2-storey dwelling. The proposed development exceeds this standard, with a stated floor area of 111 m².

7.8.2. The proposed dwelling is 2-storeys in height, with 1 no. off-street car parking space proposed to the front accessed directly from Graybar Lane. A private garden is proposed to the rear of the dwelling which ranges in depth from 6.8 m – 7.25 m. A rear garden of 105 m² remains to serve the existing dwelling house. Having regard to the foregoing, I consider that the proposed development complies with all relative quantitative standards with respect to its internal floor area, private open space and

car parking and that sufficient private open space would remain to serve the existing dwelling on the site.

- 7.8.3. A separation distance of 27 m arises between the opposing 1st floor windows of the existing and proposed dwelling houses on the site. The relationship of the proposed dwelling to the opposing dwelling to the north at No. 1 Ormond Road is not shown on the planning application drawings. Based on GIS mapping, I estimate that a separation distance of approx. 30 m would result at 1st floor level, which exceeds development plan standards.
- 7.8.4. While a directly opposing relationship does not arise with the adjoining dwelling to the east at No. 4 Clonturk Park, a separation distance of approx. 28 m arises between the opposing 1st floor rear elevations, with the proposed dwelling set back by 6.5 m from the rear property boundary of this neighbouring property. As such, I consider that no undue overbearing or looking impacts would arise to No. 4 Clonturk Park on foot of the proposed development.
- 7.8.5. A small opaque window is proposed in the western elevation of the dwelling at 1st floor level, and as such, no overlooking of the rear gardens to the west of the site at Drumcondra Road Upper would occur. I also consider that no undue overbearing impact would arise having regard to the height of the existing garage structure (6.2 m) and that of the proposed development (6.15 m) above the north-south laneway. In conclusion, I consider that the proposed development would have no unacceptable impact on the amenities of any neighbouring property.

7.9. Site Access Arrangements

- 7.9.1. In my opinion, the key consideration in this case is the proposed site access arrangements. Dublin City Council refused planning permission based on the inadequate width of the laneway serving the development. I note that Dublin City Council previously refused planning permission for the development of a dormer bungalow on the subject site for 3 no. reasons, including the inadequate width of the laneway and the present such development would set on other substandard mews laneways (Planning Authority Reg. Ref. 0605/97 refers).
- 7.9.2. The development plan requires potential mews laneways to have a minimum carriageway width of 4.8 m (5.5 m where no verges or footpaths are provided). All

mews lanes will be considered shared surfaces, and footpaths need not necessarily be provided.

- 7.9.3. In considering the foregoing, I note that the width of the north-south laneway varies along its length on foot of the irregular rear property boundaries along its western side, being less than 4 m in places as identified by the Planning Authority. At the time of my inspection, a refuse collection truck was parked mid-way along the laneway, restricting access for pedestrians.
- 7.9.4. The proposed development includes the demolition of the side wall (and attached shed) extending from the rear elevation of No. 2 Clonturk Park. A new boundary wall is proposed within the subject site, which will increase the width of the north-south laneway by approx. 1.2 m. While I note that an overall laneway width of 5.5 m would not be achieved, in my opinion, any further widening of this laneway is unlikely, assuming a multiplicity of landownerships at Drumcondra Road Upper adjoining its western side. As such, I consider that the proposed widening of this laneway would provide a more comfortable environment for pedestrians and cyclists.
- 7.9.5. A curved boundary wall and timber fence of 1.8 m is proposed to the front of the dwelling house at the junction of the adjoining laneways. While the existing vehicular entrance to the garage at the rear of the site fronts onto the hard surface of the adjoining splayed junction, it is proposed to relocate the vehicular entrance with access directly from Graybar Lane. This laneway is substandard in nature and the planning application drawings and documentation do not propose any improvement works to same, apart from the setting back of the site boundary. The third parties have submitted that this laneway is in private ownership, and I note that these lands are not identified as being under the applicant's control on the planning application drawings.
- 7.9.6. A swept path analysis has not been included to confirm whether vehicular access and egress movements can be safely achieved. In a scenario where a car is required to reverse out of the driveway onto Graybar Lane, I note that visibility in an easterly direction would be restricted by the footprint of the adjoining garage structure. In a scenario where a driver may attempt to reverse into the driveway, I note they would be required to reverse from the north-south laneway in the first instance, with this

laneway facilitating 1-way traffic in a northerly direction only. This scenario would likely result in a traffic conflict with other lane users.

7.9.7. Thus, based on the substandard condition and width of Graybar Lane and the absence of clarity regarding the safety of the proposed vehicular access and egress arrangements, I consider that planning permission should be refused for the proposed development on the basis of traffic safety.

- **Amended Development**

7.9.8. The amendments which are proposed to the development by way of the applicant's appeal submission are summarised in sections 7.1 – 7.3 above. The swept path diagrams which accompany the appeal confirm that satisfactory vehicular access and egress can be achieved from Graybar Lane and the north-south laneway respectively, on foot of the revised arrangements. A swept path diagram has also been included to confirm that fire tender access can be achieved along the north-south laneway.

7.9.9. I note that the width of Graybar Lane will not be improved under the revised site entrance arrangements, with the proposed entrance piers directly abutting the laneway. While the development plan standards require a minimum mews laneway width of 4.8 m (5.5 m where no footpaths are provided), the width of the laneway to the front of the site is 3.8 m based on Drawing No. (P)003 (Proposed Site Layout Plan) which accompanied the planning application.

7.9.10. While the applicant's agent identifies a precedent case for the development of a dwelling to the rear of No. 17 Belgrove Road, Dublin 3 (ABP Ref. 301905-18 refers) where parts of the adjoining laneways serving the site were less than 4.8 m in width, I note that each application must be adjudicated on its merits.

7.9.11. The applicant's agent also queries the rationale for the development plan standard which requires mews laneways to have a width of 4.8 m or 5.5 m. The applicant's agent submits that 2019 DMURS guidance encourages carriageway widths to be minimised in the interest of traffic safety. Section 4.4.1 of the Guidelines is referenced, which states that in new designs, the standard lane width on arterial and link streets should lie in the range of 2.75 m to 3.5 m, with the preferred values being 3 m and 3.25 m.

- 7.9.12. In considering the forgoing, I note that Section 3.2.1 of the 2019 DMURS guidance document identifies a street hierarchy which includes arterial, link and local streets. Arterial streets are major routes via which major centres/nodes are connected. Link streets provide the connections to arterial streets, or between centres, neighbourhoods and/or suburbs. Local streets provide access within communities and to arterial and link streets.
- 7.9.13. In my opinion, the laneways which adjoin the subject site can be more accurately categorised as local streets, and not arterial or link streets as referenced by the applicant's agent. Section 4.4.1 of the Guidelines in relation to carriageway widths, states that the width on local streets should be between 5 – 5.5 m, with laneway widths of 2.5 – 2.75 m. Where a shared surface is provided, the total carriageway width should not exceed 4.8 m. This standard reflects the minimum carriageway width provided under the development plan.
- 7.9.14. In my opinion, the revised entrance arrangements, which would maintain the existing carriageway width of 3.8 m at Graybar Lane, would establish an inappropriate precedent for similar arrangements on the neighbouring sites to the east, which collectively would preclude the upgrading of the laneway to comply with development plan standards.

7.10. **Appropriate Assessment**

- 7.10.1. Given that the development is proposed to be connected to the public water supply and drainage networks and having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

8.0 **Recommendation**

- 8.1. I recommend that planning permission be refused for the proposed development for the reasons and considerations set out hereunder.

9.0 Reasons and Considerations

- 9.1. Having regard to the restricted site access arrangements, it is considered that the proposed development represents an inappropriate form of development, which would endanger public safety by reason of traffic hazard. As such, the proposed development would be contrary to Section 16.10.16 of the Dublin City Development Plan 2016-2022 regarding the development of mews dwellings, with respect to site access. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Louise Treacy
Planning Inspector

2nd June 2021